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ELEVENTH REPORT

OF THE

BUREAU OF ARCHIVES

FOR THE

PROVINCE OF ONTARIO

BY

ALEXANDER FRASER,

M.A., LL.D., Litt. D., F.S.A. Scot. (Edin.) F.A.G.S.

Provincial Archivist

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To His Honour COLONEL SIR JOHN STRATHEARN HENDRIE, K.C.M.G., C.V.O.,

Lieutenant-Governor of the Province of Ontario.

MAY IT PLEASE YOUR HONOUR:

I have the pleasure to present herewith for the consideration of Your Honour the Report of the Bureau of Archives of Ontario for 1914.

Respectfully submitted,

T. W. McGARRY,
Treasurer of Ontario.

Toronto, 1915.

The Honourable THOMAS WILLIAM McGARRY, K.C., M.P.P., ETC.

Treasurer of Ontario.

SIR,—I have the honour to submit to you the following Report in connection with the Bureau of Archives for the Province of Ontario.

I have the honour to be, Sir,

Your obedient servant,

ALEXANDER FRASER,

Provincial Archivist.

Toronto, 31st December, 1914.

CONTENTS

	PAGE
Letters of Transmission	iii and iv
Prefatory	vii
Journals of Upper Canada :	
Legislative Assembly, 1821-22	1
" " 1823	199
" " 1823-24	433
Appendix I—Journals of the House of Assembly, U. C.—Accounts for 1823	691
Appendix II—Accounts, U. C. 1801	729
Appendix III—Accounts, U. C. 1802	759

ERRATA—Page 199, for "the third year" read "the fourth year."

EX REBUS ANTIQUIS ERUDITIS ORIATUR

Report

OF THE

Ontario Bureau of Archives

PREFATORY

This volume brings the publication of the Journals of the Legislative Assembly of Upper Canada to the year 1824. From 1825, onward, while printed copies are scarce, they are available for official purposes, and therefore with next year's Report, which will be devoted to the Journals of the Legislative Council of Upper Canada—complementary to those of the Legislative Assembly—this series will have been completed.

As has been pointed out in former volumes, the originals of the early Journals were lost and those printed by the Ontario Archives are certified copies of the copies sent by the Lieutenant-Governor of Upper Canada to the British Government. Of these there are missing those for the years 1794 (partly), 1795, 1796, 1797, 1809, 1813, 1815. The remainder, from 1792 to 1821, were published by the Ontario Archives in the years 1909, 1911, 1912, 1913, and from 1821 to 1824, in 1914, as Parts I, II, III, IV and V of the L. A. Series. The Report for 1910 consisted of the Journals of the Legislative Council (L.C.) the continuation of which will appear next year.

In addition to the Journals, this Report contains three appendices of exceptional value.

The first contains a statement of the Inspector General's Accounts for Upper Canada for 1823, and properly belongs to the Proceedings of the House for that year given in this volume. But they did not form part of the original Journal, and were discovered only after the MS. had gone to press.

The second contains the accounts of the Receiver-General of Upper Canada for the year 1801, and the third the accounts of the Receiver-General of Upper Canada for 1802, very interesting documents, both of which were found barely in time to be included in this volume, the publication of which was thereby delayed.

ALEXANDER FRASER.

Provincial Archivist.

The Journals

OF THE

LEGISLATIVE ASSEMBLY

OF

Upper Canada

FOR THE YEARS

1821, 1822, 1823, 1824

VOLUME FIVE

Ontario Archives 1914

JOURNAL

OF THE

HOUSE OF ASSEMBLY

OF

UPPER CANADA

From the Twenty-First day of November,

1821,

to the Seventeenth day of January,

1822,

Being the second session of the Eighth Provincial Parliament

in the second year of the Reign of

KING GEORGE THE FOURTH.

JOURNAL

OF THE

HOUSE OF ASSEMBLY

OF

UPPER CANADA

1821-1822.

PROCLAMATION.

UPPER CANADA.

P. MAITLAND.

George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To our Beloved and Faithful Legislative Councillors of Our Province of Upper Canada, and to Our Knights, Citizens and Burgesses of Our said Province to Our Provincial Parliament at Our Town of York, on the twenty second day of May instant to be commenced, held, called and elected, and to every of you, Greeting.

Whereas on the fourteenth day of April last we thought fit to prorogue our Provincial Parliament to the twenty-second day of May instant, at which time at Our Town of York you were held and constrained to appear; now know ye that we, taking into Our Royal consideration the ease and convenience of Our Loving Subjects, have thought fit, by and with the advice of our Executive Council to relieve you and each of you of your attendance at the time aforesaid, hereby convoking and by these presents enjoining you and each of you, that on Saturday the thirtieth day of June next ensuing you meet us in Our Provincial Parliament in Our Town of York, there to take into consideration the state and welfare of Our Province of Upper Canada, and therein to do as may seem necessary, and herein fail not.

In testimony whereof we have caused these our letters to be made patent, and the Great Seal of Our said Province to be hereunto affixed.

Witness Our Trusty and well beloved Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of Our said Province, and Major General Commanding Our Forces therein, at York, this sixteenth day of May, in the Year of Our Lord One Thousand Eight Hundred and Twenty-one, and in the Second year of Our Reign. P. M.

By His Excellency's Command,

D. Cameron, Secretary.

J. B. Robinson, Atty. General.

By a further proclamation of His Excellency, Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, dated the twenty-third day of June, one thousand eight hundred and twenty-one, the meeting of the Legislative Council and House of Assembly stands further prorogued to the eighth day of August next ensuing.

By a further proclamation of His Excellency Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, dated at York, the first day of August, One thousand eight hundred and twenty-one, the meeting of the Legislative Council and House of Assembly stands further prorogued to the seventeenth day of September, next ensuing.

By a further proclamation of Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, dated the tenth day of September, One thousand eight hundred and twenty-one, the meeting of the Legislative Council and House of Assembly stands further prorogued to the twenty-fifth day of October next ensuing.

PROCLAMATION.

UPPER CANADA.

P. Maitland.

George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To Our Beloved and Faithful Legislative Councillors of Our Province of Upper Canada, and to Our Knights, Citizens and Burgesses of Our said Province to Our Provincial Parliament at Our Town of York, on Thursday, the Twenty-fifth day of October instant, to be commenced, held, called and elected, and to every of you, Greeting.

Whereas by Our Proclamation bearing date the Tenth day of September last, we thought fit to prorogue Our Provincial Parliament to the Twenty-fifth day of October instant, at which time at Our Town of York you were held and constrained to appear. Now know ye, that we, taking into Our Royal Consideration the ease and convenience of Our Loving Subjects, have thought fit, by and with the advice of Our Executive Council to relieve you and each of You of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of you that on Wednesday, the Twenty-first day of November next ensuing you meet us in Our Provincial Parliament in Our Town of York, for the actual dispatch of public business, then to take into consideration the state and welfare of Our Province of Upper Canada, and therein to do as may seem necessary; and herein fail not.

In testimony whereof we have caused these our Letters to be made patent, and the Great Seal of Our said Province to be hereunto affixed.

Witness Our Trusty and Well Beloved Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of Our said Province, and Major General Commanding Our Forces therein, at York, this Fifteenth day of October, in the Year of Our Lord One Thousand Eight Hundred and Twenty-One, and in the Second of Our Reign. P. M.

J. B. Robinson, Atty. Genl.
By His Excellency's Command, D. Cameron, Secretary.

Wednesday, 21st November, 1821.

The House met: Prayers were read:

At three o'clock the Gentleman Usher of the Black Rod, Mr. Lee, brought down the commands of His Excellency the Lieutenant Governor for the immediate attendance of the Speaker and the House at the Bar of the Legislative Council Chamber.

Mr. Speaker and the Members present then went up to the Legislative Council Chamber and returned.

Mr. Speaker reported that His Excellency had been pleased to open the Session with a Speech to both Houses, of which, to prevent mistakes, he had obtained a copy.

Ordered, that the Speech be read, and it was read as follows:

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:

I regret to be under the necessity of informing you that Our Commissioners for adjusting our financial interests with Lower Canada have found it impracticable to establish a new agreement on terms which they could regard as compatible with our just claims. A suspension of receipt has thus unavoidably occurred in that very material branch of our Revenue, which accrues from our proportion of the duties collected at the Port of Quebec.

Deeply as I felt the importance of this embarrassing result, I would not overlook the Public Convenience of having recourse to your counsel at a period when your absence from your several Districts might have materially interfered with the administration of Justice; but measures were resorted to for obviating as much as possible the difficulties which in this conjuncture unavoidably occurred.

I have now directed that the papers relative to the Proceedings of the Commissioners shall be immediately submitted to you, and I recommend the consideration of this important subject to your earliest attention.

Gentlemen of the House of Assembly: The Public Accounts, with the Estimates for the ensuing year, shall be laid before you without delay. It is satisfactory to observe that Our internal Revenue, small as it is, and altogether unequal to our exigencies, has not decreased during the last year, notwithstanding the general depression of Trade and Agriculture. Henceforward the annual expenditure will be considerably lessened by the reductions which have been made in the Militia Pension List under your last Act, and in availing myself of the Provision enabling me to borrow on debenture the sum required to discharge the arrearages due on that head. I was gratified in finding that the negotiation of the loan was immediately effected within the Province.

Honorable Gentlemen and Gentlemen: The important matters I have already alluded to as inducing me to call you thus early together, will demand your first and chief consideration, for until we are relieved from the interruption in the receipt of our principal Revenue, the means of advancing public improvement must necessarily be much circumscribed.

There are doubtless other matters, however, on which your deliberations may be occupied with advantage to Your Fellow Subjects.

Looking to the situation of our Agricultural interests, I cannot but feel desirous it might be found possible to afford some effectual encouragement to the experiment of cultivating hemp and such other productions as would find a more constant and profitable demand in the parent State.

You may be assured that I am always inclined to co-operate heartily with you in any measure in which my duty and judgment will allow me to concur, and I desire to impress upon you that a continuance of unanimity between the different branches of the Legislature is necessary to create confidence in our measures and give weight to our representations.

Mr. Robinson, seconded by Mr. Ruttan, moves that Messrs. Hagermann, McDonell, Crooks and Kerr be a Committee to draft an Address in answer to

the Speech of His Excellency the Lieutenant Governor at the opening of this Session. Which was carried.

The House then adjourned.

Thursday, 22nd November, 1821.

The House met: Prayers were read: The Minutes of yesterday were read.

Mr. Attorney General gives notice that he will on Monday next, move for leave to bring in a Bill respecting the sale of lands and tenements in execution.

Mr. Attorney General gives notice that he will move on Monday next for leave to bring in a Bill to continue the Act for making provision for certain Sheriffs in this Province.

Mr. Hagermann, seconded by Mr. Shaver, moves that Messrs. Baldwin, Ruttan, and Hamilton of Wentworth be a Committee to inquire and report to the House what Provincial Acts are about to expire. Which was carried.

Mr. Baldwin gives notice that he will, on Monday next, move for a Committee to inquire into the state of the Public Posts for conveyance of letters throughout this Province, how far the present system is sanctioned by law, and in how far the same may be beneficially altered.

Mr. Crooks gives notice that he will, on Tuesday next, move for leave to bring in a Bill to extend the provisions of the laws now in force for laying out, amending and keeping in repair the Highways and roads in this Province.

Mr. Hagermann gives notice that he will on Wednesday next move for leave to bring in a Bill to alter and amend the laws now in force relative to the registry of titles to lands within this Province.

Mr. Ruttan gives notice that he will, on Wednesday next, move for leave to bring in a Bill to reduce to one Act of Parliament the several laws now in force relative to the appointment and duty of Parish and Town Officers throughout the Province, and to amend and make further provision for the same.

Mr. Baldwin gives notice that he will to-morrow move that the House do resolve itself into a Committee of the Whole, to take into consideration the Report of the Committee of last Session of the 28th March, on the subject of the accommodation of the buildings and offices of the Legislature.

Mr. Hagermann gives notice that he will, on to-morrow, move that the Resolution of the House of the 5th February last, ordering that henceforward any Member who shall introduce a Bill or Petition shall form one of the Committee to whom it may be referred, without being named by the House, and also that the order of the House of the Sixth February last relating to the hour of meeting be rescinded.

Mr. Attorney General gives notice that he will on to-morrow move for the appointment of a Committee to examine and report upon all such Petitions as may require to be referred to a Special Committee during the present Session.

Mr. Attorney General, seconded by Mr. McDonell, moves for leave to bring up the Petition of Timothy Storing and others, Freeholders of the Incorporated Counties of Lenox and Addington. Which was carried, and the Petition brought up.

Mr. Attorney General gives notice that he will move, on Thursday next, for leave to bring in a Bill to amend an Act passed in the thirty-seventh year of His Late Majesty's Reign, for the better regulating the practice of the law.

Mr. Robinson, of the Committee to draft an Address to His Excellency the Lieutenant Governor's Speech, reported a draft, which was received and read the first time.

Mr. Robinson, seconded by Mr. Kerr, moves that the fifth Rule of the House be dispensed with as far as relates to the Address in answer to the Speech to His Excellency the Lieutenant Governor at the opening of this Session, and that it be now read a second time. Which was carried, and the Address was read the second time.

Mr. Robinson, seconded by Mr. Kerr, moves that the House do now go into Committee, to take into consideration the answer to the Speech of His Excellency the Lieutenant Governor at the opening of this Session. Which was carried, and Mr. Kerr took the Chair of the Committee.

The House resumed. Mr. Kerr reported the Address as amended. Ordered that the Report be received.

Mr. Robinson, seconded by Mr. Willson, of Prince Edward, moves that the answer to His Excellency the Lieutenant Governor's Speech at the opening of this Session be engrossed, and read a third time this day. Which was ordered, and the Adress was read the third time, passed, and signed by the Speaker as follows:

To His Excellency, Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein.

May it please Your Excellency:—

We, His Majesty's Dutiful and Loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to offer to Your Excellency our most humble thanks for your gracious Speech from the Throne at the opening of the present Session.

While we gratefully acknowledge Your Excellency's consideration in deferring the call of the Legislature to a period when their assembling would least materially interfere with the public interest and convenience, we are deeply sensible of the importance of the exigency on which Your Excellency has been graciously pleased to desire our counsel.

It is with extreme regret that we learn from Your Excellency that it has been found impracticable to adjust our financial interests with Lower Canada by establishing a new Agreement on terms which our Commissioners could regard as compatible with the just claims of this Province. The consequent suspension of the receipt of that very material branch of our Revenue which accrues from our proportion of the duties collected at the Port of Quebec, places this Province in a very embarrassing situation, from which we are aware any means Your Excellency may have been able to resort to can afford but a partial and temporary relief. The Proceedings of the Commissioners when laid before us, and the important interests involved in their result, shall engage our earliest and most earnest attention.

We shall not fail to give due consideration to the Public Accounts, and to the Estimates for the ensuing year. It is satisfactory to learn that in the present general depression of Agriculture and Trade our Internal Revenue, inconsiderable as it is, when compared to the exigencies of the Province, has not decreased during the last year.

The reduction in the annual expenditure which will be produced by the operation of the late Act for the revision of the Militia Pension List, and the facility with which the authorized loan required for discharging the arrearages due on that head, has been negotiated within this Province, are subjects of just congratulation, in which we humbly unite with Your Excellency.

Entirely convinced of the necessity of applying our chief consideration to

the important matter which has induced Your Excellency to call us thus early together, it will be our first care to seek relief from the interruption in the receipt of our Provincial Revenue, by which the means of advancing public improvements are at present so much circumscribed. Other matters will necessarily engage a portion of our attention, among which none can be more important than the possibility suggested by Your Excellency of affording effectual encouragement to such of our productions as we hope may find a profitable and certain demand in the Parent State.

We beg to assure Your Excellency that we are fully convinced of Your Excellency's constant desire to promote by every means in your power the prosperity of this Province, and that in co-operating with the other branches of the Legislature in any measure they may devise Your Excellency will be at all times governed entirely by your sincere opinion of their wisdom and expediency. With unfeigned desire that in our deliberations we may consult equally the just interests of our Constituents and the Honor of His Majesty's Government, we trust we shall evince the conviction we feel that a continuation of unanimity between the different branches of the Legislature is necessary to create confidence in their measures, and to give weight to their representations.

Mr. Robinson, seconded by Mr. Hagermann, moves that Messrs. Wilmot and Ruttan be a Committee to wait upon His Excellency the Lieutenant Governor, to acquaint him that this House have prepared an answer to his Speech at the opening of this session, which they are ready to present whenever he shall be pleased to receive the same. Which was ordered.

The House then adjourned until ten o'clock to-morrow.

Friday, 23rd November, 1821.

The House met: Prayers were read: The Minutes of yesterday were read.

Agreeably to notice, Dr. Baldwin, seconded by Mr. Hagermann, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Report of the Committee of the 28th March last in the last Session, relative to the accommodation of the Chambers of the House of Assembly. Which was carried, and Mr. Clark was called to the Chair of the Committee.

The House resumed. Mr. Clark reported that the Committee had risen.

Agreeably to notice, Mr. Hagermann, seconded by Mr. Shaver, moves that the Rule of this House of the 5th February last, ordering that any Member who shall introduce a Bill, Petition or Motion upon any subject which may be referred to a Committee, shall be one of the Committee without being named by the House and also the Rule of this House of the 6th February last, relative to the hour of meeting, be rescinded.

In amendment, Dr. Baldwin, seconded by Mr. Randal, moves that so much of the original motion as included between the words "that" and "the" be expunged. Which was carried.

The Original motion as amended was then put and carried.

Dr. Baldwin gives notice that he will, on to-morrow, move an Address to His Excellency, requesting His Excellency will be pleased to inform this House the result of the Joint Address of both Houses last Session to His Majesty on the subject of our Commercial Relations with Lower Canada, and also on the subject of claims for losses sustained during the late war.

Mr. Casey gives notice that he will, on Tuesday next, move for leave to bring in a Bill to alter and amend the laws now in force relative to the practising of Physic and Surgery in this Province.

The House then adjourned till two o'clock. At two o'clock the House met, pursuant to adjournment.

The House then proceeded to His Excellency the Lieutenant Governor with the Address in answer to His Excellency's Speech at the opening of the Session and being returned:

Mr. Speaker reported the same, and that His Excellency had been pleased to make thereto the following reply.

Gentlemen of the House of Assembly: Nothing could be more satisfactory to me than the general expression of this Address, and the particular assurance that you will give your earliest and most earnest attention to the important objects which I have recommended to your attention.

The House then adjourned till ten o'clock to-morrow.

Saturday, 24th November, 1821.

The House met: Prayers were read: The Minutes of yesterday were read.

Agreeably to the order of the day, petition No. 1 was read.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Petition of Timothy Storing and other Freeholders of the incorporated Counties of Lenox and Addington, having been read, be entered on the Journals. Which was carried, and is as follows:

To the Honorable the House of Assembly of the Province of Upper Canada, in Provincial Parliament assembled.

The Petition of the undersigned, Freeholders of the Incorporated Counties of Lenox and Addington, in the Midland District.

Humbly Sheweth: That by virtue of a Writ issued in the usual form to John McLean, Esquire, as Returning Officer, the Freeholders of these Incorporated Counties were called on to choose a Member to supply in Parliament the place of Daniel Hagerman, Esq., deceased. That the said election was accordingly held at the village of Bath, on Monday the fifth day of November last, and that the poll was kept open by a contest between Mr. John Church and Mr. Barnabas Bidwell until the succeeding Saturday, when the latter having a majority of forty-nine votes was declared duly elected.

Your Petitioners humbly beg permission to call the attention of Your Honorable body to the qualification of the person thus returned to represent the said Counties of Lennox and Addington.

They Respectfully represent that though the said Barnabas Bidwell may have resided in this Province during the necessary time, and have also become possessed of the amount of property legally required in a candidate, Your Petitioners are induced to believe, and indeed are fully convinced that there are circumstances connected with his character which render him utterly unworthy of the high honor of sitting in your august House. That at the period when the said Barnabas Bidwell first came into this Province, which was about ten years ago, divers reports highly discreditable to his character were in circulation respecting the cause of his quitting the United States. That the said Barnabas Bidwell formerly held the office of Treasurer of the County of Berkshire in his native State of Massachusetts, and that in the discharge of the duties of which office it was asserted in the newspapers of the American Union, without con-

tradiction, and generally believed, that the said Barnabas Bidwell had been guilty of a misapplication of the Public Funds entrusted to his care, and that having unsuccessfully attempted to cover this breach of his public duty, by an erasure in his accounts, he was compelled precipitately to abandon his native State, and, pursued by a Proclamation of the Governor, offering a reward for his apprehension, to flee for refuge beyond the jurisdiction of the Federal Laws into Canada. Your Petitioners fear not to assert that these circumstances are notorious, and that they remain uncontradicted and generally credited, as well in this Province as within the limits of the American Union.

Your Petitioners beg leave further to represent that the said Barnabas Bidwell, though now claiming to be a natural born subject of our Most Gracious Sovereign, remained in the revolted colony during the whole of the Rebellion that terminated in the acknowledgment of their independence and an absolution of their allegiance to the British Government, and that he afterwards, as a citizen of the United States, became a Member of Congress, an Attorney General of the State of Massachusetts, and a Treasurer of the County of Berkshire in the same State.

That previously to entering on the duties of any of the above situations he was compelled by the Constitution of the State of Massachusetts to take an oath to the following effect.

I, A. B., do truly and sincerely acknowledge, profess, testify and declare that the Commonwealth of Massachusetts is, and of right ought to be, a Free, Sovereign and Independent State; and I do swear that I will bear true faith and allegiance to the said Commonwealth, and that I will defend the same against traitorous conspiracies and all hostile attempts whatever, and that I do renounce and abjure all allegiance, subjection and obedience to the King, Queen or Government of Great Britain, as the case may be, and every other Foreign Power whatsoever; and that no foreign Prince, persons, prelate, State or Potentate, hath or ought to have any jurisdiction, superiority, pre-eminence, authority dispensing or other power in any matter civil, ecclesiastical or spiritual, within this Commonwealth, except the authority and power which is or may be vested by their constituents in the Congress of the United States; and I do further testify and declare that no man or body of men hath or can have any right to absolve or discharge me from the obligation of the oath, declaration or affirmation, and that I do make the acknowledgment, profession, testimony, declaration, denial, renunciation and abjuration heartily and truly, according to the common meaning and acceptation of the foregoing words, without any equivocation, mental evasion or secret reservation whatsoever. So Help Me God."

That when the said Barnabas Bidwell was called on during the late War to take the oath of allegiance to His Britannic Majesty, he, bearing no doubt in mind his previous oath, remarked, that he did not consider it binding, as it was compulsory, a fact which can be proved by the Magistrates who administered the oath.

Your Petitioners therefore, considering all these circumstances as undeniable, and that they morally incapacitate the said Barnabas Bidwell as a Member of our Provincial Parliament, and considering the disgrace which will justly attach itself to this Province and to your Petitioners in particular, should persons void of reputation or moral character be allowed to intrude themselves into Your respected and Honorable House, beg leave most reverently to call the attention of Your Honorable Body to this case, and entreat, should the statements above made be sustained, as Your Petitioners are convinced they can be by satisfactory

proof, Your Honorable House will declare the Election of the said Barnabas Bidwell to be null and void, and thus preserve pure and unsullied the dignity of Your Honorable House.

And Your Petitioners, as in duty bound, will ever pray.

(Signed by) Timothy Storing and 125 others.

Fredericksburgh, Nov. 17, 1821.

Agreeably to notice, Mr. Attorney General, seconded by Mr. McDonell, moves that Messrs. Willson, of Wentworth, McMartin, McLean, of Stormont, Hagerman and Burwell be a Committee to examine and report upon all Petitions which may be required to be referred to a Special Committee during the present Session. Which was lost.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor a message with the Public Accounts, also a message with the Report of the Commissioners to Lower Canada, and having withdrawn the messages were read as follows:

P. Maitland.

In transmitting to the Commons House of Assembly the Public Accounts and a statement of the Receipt and Expenditure, together with the Estimates for 1822, the Lieutenant Governor thinks fit to call the particular attention of the House to the circumstance that a large portion of the actual expenditure sanctioned by the Legislature has been made from funds supplied on his personal responsibility, and that (contemplating the doubtful receipt of our proportion of the Revenue derived from the Port of Quebec) he may find it necessary to provide for the Public Service of the ensuing year in like manner, consequently that the future receipt of the averages from that source must be liable to deduction equal in amount to the advances that have been or may be procured in order to carry on the Public Service.

Government House, 24th November, 1821.

UPPER CANADA.

Schedule of Accounts and Estimates prepared to be laid before the Provincial Legislature in the 2nd Session of the 8th Parliament.

No. 1. Account of Revenue from Shop, Tavern, Still and Wholesale Dealers Licenses, from the 5th of January to the 21st November, 1821.

No. 2. Names of persons licensed as Shop-keepers, from 5th January, to 21st November, 1821.

No. 3. Names of persons licensed as Inn-keepers, from 5th January to 21st November, 1821.

No. 4. Names of persons licensed as Distillers, from 5th January to 21st November, 1821.

No. 5. Names of persons licensed as Wholesale Dealers from 5th January to 21st November, 1821.

No. 6. Account of Revenue from Duties on Imports from the United States from the 1st of January to the 21st November, 1821.

No. 7. Account of Revenue from Licenses to Hawkers and Pedlars from the 31st of January to the 21st of November, 1821.

No. 8. Account of Tonnage Duty collected from 1st of January to 21st November, 1821.

No. 9. Account of Revenue from Licenses to Auctioneers, and Duty from sales at Auction from 1st January to 21st November, 1821.

No. 10. General statement of the Receiver General's Receipts and Payments from 1st January to 30th of June, 1821.

No. 11. Statement of the Receiver General's Receipts and payments from 1st July to 21st November, 1821.

No. 12. Abstract account of Warrants issued to the 30th June, 1821.

No. 13. Abstract accounts of Warrants issued to the 21st November, 1821.

No. 14. Schedule of payments to the Receiver General to 21st November, 1821.

No. 15. General Estimate for the year 1822.

No. 17. Abstract of sums payable to complete 1821.

No. 18. Account of moneys outstanding in the hands of Collectors and Inspectors.

J. BABY, Inspr. Genl.

Inspector General's Office,
21st November, 1821.

P. MAITLAND.

The Lieutenant Governor transmits to the Commons House of Assembly a copy of the Report made to him by the Commissioners appointed for the renewal of the Provisional Agreement between this Province and Lower Canada, on the subject of Duties collected at the Port of Quebec.

Government House,
24th November, 1821.

Report of the Commissioners of the Province of Upper Canada, appointed by His Excellency, Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, and Major General Commanding the Troops in the said Province; under the authority of an Act of the Parliament of the said Province.

May it please Your Excellency: The Commissioners on the part and behalf of the Province of Upper Canada met the Commissioners appointed on the part and behalf of the Province of Lower Canada at the House of the Honorable J. L. Papineau, and having communicated their authorities, it was urged by the Commissioners of Lower Canada that the Commissioners of Upper Canada should exhibit their claim in writing, which, being assented to, they have now the honor to lay before Your Excellency copies of their proceedings, as well as copies of answers from the Commissioners of Lower Canada, and other documents and remarks relative thereto.

No. 1. Claim exhibited on behalf of Upper Canada, with the documents in support thereof.

No. 2. The answers of the Commissioners of Lower Canada thereto.

No. 3. The reply of the Commissioners of Upper Canada, with copy of A. McLean's letter requesting a meeting of the Commissioners.

No. 4. The answer of the Commissioners of Lower Canada.

Copy of a memorandum by the Honorable F. Clark, and copy of Report of Commissioners of Lower Canada. All of which is humbly submitted.

(Signed) F. Clark, A. McLean, Jonas Jones.

To His Excellency, Sir P. Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, etc.

No. 1.

The Commissioners on the part of Lower Canada, having intimated a desire that the Commissioners on the part of Upper Canada should make a statement in writing of the claims which that Province has against Lower Canada for her proportion of draw-backs on duties collected in Lower Canada:

To meet their wishes, and with every desire of conciliation, as well as to put an end to the embarrassing situation in which Upper Canada has been placed for some years back for want of that part of her revenue, the Commissioners of Upper Canada proceeded with as little delay as possible, and now beg leave to state:—

1st. That Upper Canada claims from Lower Canada sundry arrearages of drawbacks on duties under Provincial Statutes between 1st January, 1813, and 1st January, 1817, amounting to £10,845.15. 7½, exclusive of drawbacks on goods purchased by the Commissariat and other public officers in Lower Canada, and forwarded to Upper Canada, of which no account was rendered to the Inspector at Coteau du Lac. Also for drawbacks on goods sent to Upper Canada by land carriage in the years 1813 and 1814, without reporting at Coteau du Lac, as per statement herewith marked "A."

2nd. One-fifth of the Crown duties for the years 1813, 1814, 1815, and 1816, as per statement herewith marked "B."

3rd. One-fifth of the duties, Crown and Provincial, collected on imports into Lower Canada for the two years ending on the 1st July, 1821, and this proportion is founded on the last Agreement of Commissioners, which expired on the 1st July, 1819, and not renewed from causes not depending upon or under the control of Upper Canada.

The Commissioners of Upper Canada also beg leave to state what appears to be the cause of those arrears, viz., from the Government of Lower Canada having omitted to apprize that of Upper Canada as well as the Inspector at Coteau du Lac of the Legislature having laid on additional duties in the year 1813.

From there being no instructions or copies of Acts imposing the new duties transmitted to that officer till April, 1814, by which no separate entry of port wine (on which an additional duty was laid) was made of that article imported into Upper Canada between February, 1813, and April, 1814; and no entry whatever on goods subject to an Advalorem duty till after the latter period.

From the defect in the law providing for the entry of goods at Coteau du Lac and the want of a barrier on the road (recommended by Sir Gordon Drummond) to compel the drivers of land carriages to stop till their loading was entered; by reason of which many loaded brigades and innumerable other carriages passed the Coteau du Lac without any account being taken of their loading.

From the Commissariat not furnishing an account of the stores purchased by them in Lower Canada and forwarded for the supply of the various public departments in Upper Canada, vide copy of Inspector's correspondence herewith, marked "C."

From the inspector having marked all goods at two and a half per cent. duty, although several merchants of Upper Canada paid the five per cent. duty on their own importations, and also purchased extensively of goods which have paid that duty.

From the Inspector General reporting upon the duties due to Upper Canada for 1813, having omitted to credit that Province the duties under the 53rd Geo. 3rd, assigning as a reason that no separate account was kept of port wines at Coteau du Lac, as his public accounts will show.

The expenses of the Administration of Justice and support of the Civil Government of Upper Canada having, until the year 1812, been paid by Great Britain or from the Military Chest at Quebec, appears to the present Commissioners from Upper Canada to be the reason why a proportion of the Crown Duties was not received by Upper Canada from the Lower Province previous to the year 1813. The Military Chest being shut against Upper Canada in 1812, that Province after that time has had to provide for the balance of her Civil List out of her Provincial Revenue.

All which claims for arrearages ought to have been settled previous to this time, but the Commissioners for Lower Canada in 1817 declined entering into the investigation of any claims for arrearages previous to that year, giving for a reason that the Act by which they were appointed did not give them the authority so to do, and that their powers were only prospective.

The cause why the proportion of duties to Upper Canada for the last two years ending the first of the present month is still unsettled and unpaid with the exception of £4,000 on account is, as has been mentioned, not the fault of Upper Canada, but from the want of legal authority in Lower Canada to empower Commissioners to arrange such proportion.

The Commissioners from Upper Canada have done everything in their power to obtain from the Commissariat Department and other sources a correct list of the articles forwarded from Lower Canada into Upper Canada in the years 1813 and 1814, which passed Coteau du Lac, and of which no entry was made there—but without effect. They therefore think that this claim, as also any data or calculation in statements "A" and "B," to which the Commissioners from Lower Canada may object might be settled by arbitrators, who might obtain information from the persons who took goods to Upper Canada and from the sales books of the different merchants in Montreal. The Commissioners from Upper Canada therefore beg leave to suggest the propriety of proposing to the respective Legislatures of the Provinces a submission of their claims to the award of arbitrators equally named by either province, with power to increase or diminish the same, and in case of disagreement to choose an umpire whose award should be final if made and confirmed before any Bill should be passed the Parliament of the United Kingdom to regulate the proportion of duties.

We come now to the arrangement of the proportion of duties to be paid in future to Upper Canada on imports into Lower Canada, as it is impracticable to ascertain the quantity of merchandise passing into Upper Canada by the Saint Lawrence and Ottawa Rivers, as well as by land carriages. The Commissioners from Upper Canada see no other mode of coming at the proportion to be paid to Upper Canada, than by assuming the population of each province for their guide, taking which as even as can be obtained, and from every other view of the consumption of dutiable articles by the inhabitants of each Province, it appears to the Commissioners of Upper Canada, that one-fourth of the whole duties collected on imports into Lower Canada would be an equitable proportion for Upper Canada to receive for the two years ensuing, and as regards the Crown duties which appear to be levied principally to defray the expense of the Administration of Justice and support of the Civil Government of the Province of Quebec, that Province being divided into Upper and Lower Canada, these duties naturally apply to the above purposes, and ought to be divided in proportion as is the expense of the Administration of Justice and support of the Civil Government in each, which, from the best information the Commissioners from Upper Canada can procure, appears to be nearly £40,000 annually for Lower Canada, and

£22,000 annually for Upper Canada. Therefore the proportion Upper Canada should receive from Lower Canada is as 22 is to 40 of all Crown duties on imports into Lower Canada, making a little more than one-third of the whole.

(Signed) Thomas Clark, Allan McLean, Jonas Jones.

Montreal, 9th July, 1821.

(A) Statement of the claims of the Province of Upper Canada upon the Province of Lower Canada, for arrears of drawbacks between 1st January, 1813, and 1st January, 1817, viz.:

1st.	On duties collected at Quebec, under 53 Geo. III., Chap. 1, and not accounted for to Upper Canada in the year 1813, on articles ascertained to have passed Coteau du Lac per statement No. 1.	£5,177	15	4½
2nd.	On duties collected at Quebec, under the same Act, on port wines from 15th February, 1813, to 25th April, 1814. This cannot be ascertained to a certainty, but by approximation amounts to 11,752 gallons at 1 shilling	587	12	0
3rd.	On Advalorem duties on merchandise, between 1st October, 1813, and 31st December, 1814, an account of which was only taken at the Coteau du Lac between the 25th April, and 31st December, 1814, amounts during that period to £189,322 0s. 9d., which at the same rates gives for the period between 1st October, 1813, and 24th April, 1814, £155,790 0s. 0d., making in all £345,612 at £3 5s. ½d. per cent., which rate of percentage is taken from the proportion of goods imported into Quebec in the year ending 5th January, 1815, which amounted to £476,281 19s. 4d., at 5 per cent. and £1,105,917 8s. 5¼d. at 2½ per cent. which gives £11,239 11s. 8d. Sterling duty, which in currency amounts to £12,688 8s. 7d., less Advalorem duty accounted for by Lower Canada to Upper Canada, for the year ending 31st December, 1814, £8,050 12s. 2d.	4,437	16	5
4th.	On Advalorem duties on £349,247 9s. 1½d., Sterling, goods passing Coteau du Lac in the year 1815, say two months and 24 days on this at £3 5s. ½d. per cent. as the 5 per cent. duty expired on the 25th March of that year; the other 9 months and 7 days at 2½ per cent. gives £9,330 12s., Sterling, or currency £10,367 6s. 8d., less 2½ per cent. and 5 per cent. accounted for by Lower Canada to Upper Canada for that year £9,724 14s. 10d.	642	11	10
	(Brought forward.)	5,177	15	4½
		£10,845	15	7½

5th. On merchandise purchased by the Commissariat in Lower Canada and sent to Upper Canada for the Army, Navy, Navy Yard, Commissariat, Quarter Master General's Department, etc., since the 1st October, 1813, of which no account has been taken at Coteau du Lac, the drawbacks on which from that period to 1st January, 1817, will, in the estimation of the Commissary amount to a very large sum.

6th. On merchandise passing the Coteau du Lac into Upper Canada by land carriage, in the years 1813 and 1814 without reporting.

Note.—It appears from the printed Public account of Lower Canada for the year 1819, that the sum of £4,858 0s. 5d., Sterling, has been paid to Upper Canada in part of the above.

(A) Statement (*Continued*) showing the sums levied on articles consumed in Upper Canada and reported to have passed Coteau du Lac for the year ending 31st December 1813, under the Act 53rd George III, and unaccounted for by Lower Canada to Upper Canada, exclusive of duties on merchandise liable to Advalorem duty, of which no account was received as per document furnished from the Inspector General's office in Upper Canada, viz.

Madeira wine, 3,181½ gallons, 1s.	£154	2	6
Port wine, no entry, but stated below by approximation:*			
Jamaica spirits, 103,016 gallons, 6d.	2,575	8	0
Brandy and other spirits, 9,502 gallons, 1s.	474	11	6
Loaf sugar, 49,717½ pounds, 1d.	207	3	1½
Salt, 6,432 rumots, 8d.	214	8	0
Tobacco, 57,416 pounds, 6d.	1,435	8	3
Snuff, or flour of tobacco, 4,668 pounds at 6d.	116	14	0
Goods on which an Advalorem duty at 5 per cent is levied and commenced on the 1st October, 1813, of which no entry was made.			
Goods on which 2½ per cent. is levied, and no entry.			
	£5,177	15	4½
*1815, when the separate account of port wine was correctly kept, the amount imported as per return was 30,852 gallons, teneriffe and other wines, 35,738 gallons. Total imported between February, 1813, and April, 1814, therefore, is as 66,590 is to 30,852, so is 25,365 to 11,752 gallons at 1s.	£587	12	0

(B) Calculation of duties levied on articles passing the Coteau du Lac into Upper Canada in the years ending 31st December, 1813, 1814, 1815 and 1816, under the British Act of Parliament of 6th Geo. 2, 4th, 6th and 14th Geo. 3rd, distinguishing the amount under each year, viz.

1813.

6th Geo. 2nd.
4th Geo. 3rd. Indigo.
Galls. Madeira wine.
do Fayal and other wines.
do Port wine.
6th Geo. 3rd. Molasses, Coffee and pimento.
14th Geo. 3rd. Rum, brandy and molasses.

The amount for the year is unavoidably left blank from the Commissioners of Upper Canada not at present having accepted the returns of the Inspector at Coteau du Lac for the year 1813.

1814.

6th Geo. 2nd.			
4th Geo. 3rd.			
Indigo estimated at 4,00 lbs., 6d.	£100	0	0
54,955½ gallons, equal to 138½ tuns of Madeira wine, Fayal and other wines at £7	969	10	0
30,585 Port wine equal 121 tuns at 10s.	60	10	0
	£1,130	0	0

Deduct £6 10s. on 96¼ tuns of wine, supposing that quantity to have been imported from England . .	450	2	6			
				£679	17	6
6th Geo. 3rd.						
1,112 gallons Molasses at 1d.	£4	12	8			
35,286 lbs. Coffee at 7s. per cwt..	104	2	6			
Pimento estimated at 10,000 lbs. at ½d	20	16	8			
				129	11	10
14th Geo. 3rd.						
615,740 gallons rum at 4½d.*	£11,545	2	1½			
51,101½ gallons brandy at 1s.	2,555	1	6			
1,100 gallons molasses at 3d.	13	15	0	14,113	18	7½
				£14,923	7	11½

1815.

6th Geo. 2nd.						
4th Geo. 3rd.						
Indigo estimated at 4,000 lbs., 6d.	£100	0	0			
Madeira wine, 8,822½ gallons; Fayal, etc., galls., 35,738½ equal to 177 tuns at £7	1,239	0	0			
Port wine, 30,552 equal 121¼ tuns at 10s. ..	60	12	6			
	£1,399	12	6			
Less £6 10s. per tun on 88½ tuns	575	5	0			
				£824	7	6
6th Geo. 3rd.						
2,704½ galls. molasses, 1d.	£11,	5	4½			
40,421 coffee at 7s. per cwt.	129	17	0			
Pimento, estimated 10,000 lbs. at ½d.	20	16	8			
				161	19	0½
14th Geo. 3rd.						
287,008 galls. rum at 4½d.*	£5,362	13	0			
65,079 galls. brandy at 1s.	3,253	19	0			
2,704½ galls. molasses at 3d.	34	10	10			
				8,651	2	10
				£9,637	9	4½

1816.

4th Geo. 3rd.						
Indigo, estimated at 4,000 lbs., at 6d.	£100	0	0			
Madeira wine, 6,639½ galls. Teneriffe, etc., 30,860 equal 149 tuns at £7	1,043	0	0			
Port wine, 16,211, equal 64 tuns at 10s.	32	0	0			
	£1,175	0	0			
Deduct £6 10s. on 74½ tuns	434	5	0			
				£690	15	0

6th Geo. 3rd.						
3,493½ galls. molasses, at 1d.	£14,	11	1½			
38,622 lbs. coffee at 7s. per cwt.	120	15	0			
Pimento estimated at 10,000 lbs. at ½d.	20	16	8			
				156	2	9½
14th Geo. 3rd.						
Irish whiskey, 5,994½ galls at 3d	£74	18	6			
Rum, 314,951½ galls. at 4½d.	5,905	6	9¾			
Brandy, 50,117 galls. at 1s.	2,505	17	0			
Molasses, 3,493 galls. at 3d.	43	13	1			
				8,529	15	4¾
				£9,376	13	2

*N.B. The duty on rum from England is 3d. per gallon, from the West Indies, 6d., and from any other British Colony it is 9d. per gallon; 4½ pence is, therefore, taken as a fair average.

(C) From Mr. Wilson to Mr. Deputy Commissary General Clarke.

Coteau du Lac, 9th May, 1814.

To J. W. Clarke, Esq.

Sir:—By an Act of the Provincial Parliament of Lower Canada of the 53rd Geo. III., chapter 11, you will see that all goods, wares and merchandise imported into Quebec, excepting such as by the Act are excepted, are now subject to duty; and though the goods which are imported for the use of Government are exempted therefrom, still such articles as may be purchased in the province and sent to Upper Canada on account of Government must be kept an account of in my office in order that the Upper Province may receive its due proportion of duties agreeable to the Act of Agreement between both Provinces.

Wherefore I have to request that you will please direct those officers who forward such articles as may be purchased in the Province of Lower Canada to state to me the Sterling cost of the same by each brigade.

I have the honor to be, etc.,

(Signed) A. C. WILSON, Inspector.

Mr. Clarke's reply to Mr. Wilson.

Montreal, 12th May, 1814.

Sir:—In answer to your letter of the 9th instant, requiring an account to be transmitted to you by each brigade of Batteaux sent to Upper Canada of the Sterling cost of all articles purchased on account of Government and transported in Batteaux, I am under the necessity of informing you that it is totally impracticable for the Commissariat Officer directing the transport to comply witl what is required in your letter.

I have the honor, etc.,

(Signed) J. W. CLARKE.

Mr. Wilson to Mr. Brenton.

Coteau du Lac, 16th May, 1814.

Sir:—I beg leave to enclose a copy of a letter I wrote to Mr. Deputy Commissary General Clarke, respecting the new duty on merchandise, with his reply to the same, which I submit to the consideration of Government. Perhaps the

Commissariat may find it more practicable to make out an account every year, which, though not so regular as by each brigade, will, I presume, be equally substantial.

I have the Honor, etc.,
A. C. WILSON, Inspector.

To which letter Mr. Brenton replied that he had received the Governor's Orders to desire the Commissariat to make out an account every year as far as it might be practicable.

Mr. Wilson to Deputy Commissary General Clarke.

Sir:—As Mr. Secretary Brenton informed me last Spring that he had requested of you to order an account to be made out every year or half-year of such articles subject to the 2½ or 5 per cent. duties as might be purchased in the Province and sent to Upper Canada on account of Government, I beg leave to let you know that my accounts as Inspector of dutiable articles at Coteau du Lac are closed twice a year; that is on the 31st December and 30th June, and that I will be obliged to you to order an account to be furnished me of the amount of such articles above alluded to as may have been or may be sent to Upper Canada from the 31st December next; or if that cannot be, and the account must be delayed to the 30th June next, I request you will signify the same to me for the information of both Governments.

I have the honor to be, etc.,
(Signed) A. C. WILSON.

Mr. Deputy Commissary General Clarke's reply.

Montreal, 14th December, 1814.

Sir:—I have to acknowledge the receipt of your letter of the 3rd of this month, which I have communicated to Mr. Secretary Cochran, and informed him that it is totally out of my power to comply with your request to be furnished with account of articles sent on account of Government to Upper Canada subject to duty, as there is no document seems to me to show what part of the stores forwarded have been purchased in the Country, and what have been imported by Government to Quebec.

I have the honor, etc.,
J. W. CLARKE.

No. 2.

The undersigned Commissioners, on the part of Lower Canada, appointed by an Act of the Legislature of the said Province, passed at its last Session, to treat with Commissioners on the part of the Province of Upper Canada, concerning duties levied or to be levied in the said Province respectively, have the honor to submit to the Commissioners on the part of Upper Canada the following observations on the statement of claims delivered in by the said Commissioners on the 9th instant, conformably to the request of the Commissioners of Lower Canada at the meeting holden at the House of the Honorable J. L. Papineau on the 5th instant.

The said statement of claim embraces:

1st, Alleged arrears of duties levied in Lower Canada prior to the Provisional Agreement of the 31st May, 1817, which was ratified by the Legislatures of the said Provinces respectively, viz.: by Lower Canada by an Act passed the 1st April, 1818, and by Upper Canada by an Act passed the 1st April, 1818.

2nd, The proportion of duties levied in Lower Canada, to which Upper Canada may be entitled since the expiration of the said agreement on the 1st July, 1819, to the present time, and

3rd, The proportion of duties levied in Lower Canada to which the Province of Upper Canada may be equitably entitled for the two ensuing years.

On the first head of these claims the Commissioners on the part of Lower Canada have to observe that they conceive every agreement once ratified must be considered as final for the period which it embraces, and cannot again be entered upon by any future Commissioners without special instructions to that effect, the powers of such Commissioners, at least in so far as Lower Canada is concerned, extending only to the establishing of regulations, and not to the execution of them, which is properly the province of the Executive Government.

The Commissioners on the part of Lower Canada, however, think it their duty under this head to state that it appears to them that His Majesty's Government in Lower Canada, in virtue of a certain agreement, entered into by three Commissioners of Lower Canada at Quebec on the 7th June, 1817, which agreement was never submitted to the Legislature of Lower Canada, and is erroneously inserted in the Upper Canada Act of the 1st April, 1818, as part of the Provisional Agreement, made at Montreal on the 31st May, 1817, has not only paid over to Upper Canada a sum of £1,585, currency, alleged to be due on the period from 1st January, 1816, to 1st January, 1817, for which there was no agreement; but has also paid over to Upper Canada a sum of £4,858. 0. 5 Sterling, equal to £5,397, 16, 0. Currency, for arrearages under former agreements, which is entered in the abstract of warrants laid before the Legislature of Lower Canada in 1821, and which was probably considered as a final settlement by both Governments—the said entry being as follows: John McGill, Receiver General, Upper Canada, being the proportion due to Upper Canada on the duties under the Act 53rd Geo. 3rd, for the year 1813, and hitherto not carried to the credit of said Province under the agreement then existing betwen the two Provinces.

With respect to the second head of the claims preferred by the Commissioners on the part of Upper Canada, the undersigned observe that if the ratified agreement of the 21st May, 1817, has been suffered to expire, if no new agreement has been entered into during a period of two years, and Upper Canada has been deprived of that share of the duties levied on goods imported into Upper Canada and partly consumed in Upper Canada, to which equity and an established practice may have entitled her, these are unavoidably consequences of a dependence for revenue of the Legislature of another Colony, to which the Legislature of Upper Canada has long consented. The Commissioners of Lower Canada do not think it consistent with the respect which they owe to their constituents and the dignity of a Legislative Body to enter into any further explanations on this head, all conventional stipulations between the two Provinces having ceased on the 1st July, 1819.

The Commissioners on the part of Lower Canada are, however, ready to enter into treaty with the Commissioners on the part of Upper Canada for the purpose of framing a Provisional Agreement for a payment to Upper Canada of a fair proportion of the duties on the goods imported into Lower Canada which have bona fide passed into Upper Canada, and been consumed therein; and for the purpose, the Commissioners of Lower Canada offer to call before the Commissioners jointly, as they are authorized by law to do, all manner of evidence which may exist within this Province and be required by the Commissioners

of Upper Canada; in short, to render every assistance and bring every disposition to effect an equitable settlement of the claim under this head, within the least possible delay.

On the third and last head of the claims preferred by the Commissioners on the part of Upper Canada, the undersigned object to, as utterly inadmissible, all claims for a future arrangement founded on the population of the two Provinces.

1st, Because the population of either Province is not sufficiently known to the undersigned.

2nd, Because the consumption of dutiable goods by the population of the two Provinces is very different, both on account of their respective habits and local position.

3rd, Because the extent and openness of the Frontier of Upper Canada towards the United States renders smuggling and other importations of dutiable goods from the United States much more easy and advantageous than into Lower Canada.

4th, Because strong liquors and salt, which furnished the greatest amount of the duties which it is inconvenient to levy on goods imported into Lower Canada, are imported into Upper Canada from the United States, notoriously manufactured in large quantities in that Province for home consumption in, and even partly for exportation.

The undersigned finally observe that the mode of ascertaining the proportion of duties which may be claimed by Upper Canada, by actual entries of goods passing from Lower Canada into Upper Canada, has been found liable to difficulties and misunderstandings, and has been abandoned as no longer suitable by the Legislatures of both Provinces, and that the delays which have already occurred in two instances, from the expiration of the existing agreement before another could be made, leave just grounds of apprehension that the same may again occur, which in the end might lead to serious misunderstandings, destructive to the interests of the two Provinces which are so intimately connected by the ties of allegiance to the same Sovereign, and their local position.

The Commissioners on the part of Lower Canada, conformably to the powers vested in them, by the Act by which they are appointed, viz.: to treat of, and concerning the establishing regulations for the collection of the duties on the payment of drawbacks to be imposed or allowed by the Legislature of each Province, respectively, on goods, wares and merchandise passing from one Province into the other, and also of and concerning any proportion to be received or paid of any duties already imposed, or hereafter to be imposed, finally propose:

1st, The adjustment in the mode aforementioned of the proportion of duties which may be equitably due to Upper Canada on goods, wares and merchandise which have actually passed into Upper Canada from 1st July, 1819, to the 1st July, 1821.

2nd, That the proportion of duties accruing to Upper Canada from the 1st July, 1821, to the 1st April, 1822, be ascertained in the same manner.

3rd, That from the 1st April, 1822, the Legislature of each Province, respectfully, shall allow all goods, wares or merchandise proceeding through either Province into the other to pass free of duty, on entry being made at the nearest Custom House, and bond given that the same will not be sold, opened or consumed, as the case may be, within the Province through which they are passing, which bond shall be cancelled only on certificate of entry in the Province into which they may be introduced.

4th, That a drawback equal to the amount of the duty paid in each Province, respectively, be allowed on goods purchased in either Province, and carried into the other, under similar formalities and securities, the expense of collection being first deducted.

(Signed) J. L. Papineau, Austin Cuvillier, John Davidson, John Neilson, George Eardon.

Montreal, 11th July, 1821.

No. 3.

The Commissioners on the part of Upper Canada have had the honor of receiving from the Commissioners appointed on the part of Lower Canada their communication, dated the 11th instant, and observe that they are equally aware with the Commissioners of Lower Canada of the propriety and justice of the remark from which it was never the intention of the Commissioners of Upper Canada to deviate, that every agreement once ratified should be final for the period which it embraces. Recognizing this principle, the Commissioners of Upper Canada have always claimed, and do still claim, the arrearages of drawbacks on goods actually ascertained to have passed the Coteau du Lac in the years 1813 and 1814, during which period there was a ratified agreement existing between the two Provinces, and continued by the Legislatures of each Province until the 1st of May, 1816, and acted upon by the said Provinces to the 1st January, 1817, without any new agreement, during which period Upper Canada was entitled to receive drawbacks on all goods ascertained to have passed from Lower Canada into Upper Canada, besides arrearages on large quantities of goods passing the Coteau du Lac in these years without entry, and until those arrearages are settled the Commissioners of Upper Canada do not conceive the former agreement fulfilled.

For the settling of the said arrearages the Commissioners of Upper Canada have heretofore applied to former Commissioners of Lower Canada and to the Executive Government of that Province without effect. They still intreat the present Commissioners on the part of Lower Canada to enter into arrangements for the final adjustment of those arrearages; but should they decline this solicitation, it is hoped they will agree to recommend to their Legislature the propriety of settling those arrearages by arbitration, as heretofore suggested.

The Commissioners of Upper Canada also remark that in document marked "A," transmitted to the Commissioners of Lower Canada on the 9th instant, it was then stated that £4,858, 0, 5, Sterling, of the said arrearages had been paid to Upper Canada, but which was never contemplated or accepted by the Executive Government of that Province to be in full. The Commissioners of Upper Canada have reason to believe that frequent applications have been made to the Executive Government of the Lower Province by the Lieutenant Governor of Upper Canada since the above sum was paid, for the residue of the said arrearages.

The Commissioners on the part of Upper Canada observe that the sum of £1,585, 0, 0, Currency, paid over to Upper Canada by Lower Canada, for the arrearages of drawbacks of Provincial duties, in the year 1816, was the sum not alleged but ascertained by the Commissioners on the part of the two Provinces, as per instrument signed by them, bearing date the 7th day of June, 1817, and the said sum is ascertained was paid in conformity to an Act of the Province of Lower Canada, passed the 8th day of March, 1817, entitled "An Act to authorize the advance of a certain sum of money for the causes therein mentioned to the Province of Upper Canada."

With regard to the proportion of duties due to Upper Canada for the two years ending the 1st July, 1821, the Commissioners in claiming one-fifth of the amount collected in Lower Canada for these years, have maturely considered the principle heretofore acted upon by the two Provinces, which has been a continuation of the same rate until a new agreement was entered into, and this proportion the Commissioners on the part of Upper Canada are convinced is to the prejudice of the Upper Province. To elucidate and support this claim, a reference may be had to the returns of the Inspector of Coteau du Lac for the years 1814, 1815 and 1816, when the entries made therein the two last of these years were more regular than in time of war, and will show the proportion of the following articles entered at the Coteau du Lac alone, to the whole entered into Lower Canada to be nearly as follows, viz.: of rum, 3-8; brandy and other foreign spirits 7-16, muscovado sugar, 5-18.

The return for the year 1816, being the only one which the Commissioners of Upper Canada have at present access to, shows the proportions to be nearly as follows, viz.:

Of Madeira wine more than	1-4
" Port wine	1-5
" Teneriffe and other wines	1-6
" Rum and Whiskey more than	1-4
" Brandy and other Foreign Spirits	5-6
" Loaf Sugar	1-4
" Muscovado Sugar	3-7
" Teas	2-3
" Coffee	1-9
" Advalorem goods more than	1-6

It may be also remarked that the population of Upper Canada consumes a much greater proportion of British dry goods than an equal number of the population of Lower Canada, the latter being principally clad in their own manufactures.

As an additional proof for the claim of one-fifth for the province of Upper Canada, the undersigned Commissioners have seen documents of goods having passed Coteau du Lac, and entered there in 1817, amounting to more than one-fifth of the dutiable articles entered in Lower Canada, exclusive of those goods passing up the Ottawa River and by land carriage, of which no account has been taken.

The Commissioners of Upper Canada are impressed with the opinion that the plan proposed by the Commissioners of Lower Canada, to ascertain the proportion of duties for Upper Canada until the 1st July, 1821, is not only novel and unprecedented in these Provinces, but impracticable at this late period, particularly when they advert to the indelicacy of inspecting the books of all the different merchants who have furnished goods for Upper Canada, the impossibility of obtaining the amount of goods purchased for cash, barter, or in any other way, or of the numerous Merchants and Traders who may have removed with their books from the country to whom no recourse can be had. Such a research could only tend to delay and vex all parties, without a possibility of obtaining any true statement of the goods actually sent to Upper Canada. The Commissioners of Upper Canada, conceiving that such an inquiry would not give the satisfactory information required, therefore trust that on mature consideration the Commissioners on the

part of Lower Canada will remove this obstacle to arrangement, and consent to agree to such an aliquot part of the duties as Upper Canada has received during the last agreement.

Although for twenty years past much spirits from corn has been made in Upper Canada, still a large quantity of rum and other foreign spirits is used in this Province.

The higher Districts of Upper Canada have usually been supplied with salt from the United States, or made from springs in that Province; but the excess used in Upper Canada of British Dry Goods is probably more than an equivalent for these articles.

From the immense length of the frontier in Upper Canada bordering on the United States, and to which access is so easy, it is impossible to prevent an illicit trade. However, teas and India goods are the principal articles smuggled; but at the same time the Commissioners of Upper Canada are aware that the same illicit trade is carried on fully to the same extent in Lower Canada.

Although the undersigned Commissioners are convinced that at present there passes from Lower Canada into the Upper Province articles of merchandise on which duties are paid in the Lower Province to fully one-fourth of all the amount levied in Lower Canada, they are nevertheless, for the sake of conciliation, and of bringing matters as far as possible to a close, willing to enter into a Provisional Agreement at the rate of one-fifth part of all duties being paid to Upper Canada to the 1st April, 1822, being the period to which the Commissioners of Lower Canada seem only inclined to agree.

The Commissioners of Upper Canada observe in the communication of the 11th instant that the plan proposed for the ascertaining of drawbacks on duties after the 1st April, 1822, is by ascertaining at the nearest Custom House in each Province the amount of duties on goods going from one Province into the other.

If the Commissioners of Lower Canada persist in this mode, it will be unnecessary, from the local situation and extent of boundary line, and the various ways of entering into the Province of Upper Canada from Lower Canada, to enter into any agreement, as this system would in fact be most injurious to the revenue of the Upper Province, by consuming at least the portion of duties she may be entitled to receive from Lower Canada in the expense of erecting innumerable custom houses in the different water and land communications, exclusive of a barrier across the ice on Lake St. Francis in the winter, and all which, even if attempted, with their train of Custom House Officers, would not, as the undersigned are well convinced, be the means of obtaining the desired end.

In making a proposition for the future, it appeared to the undersigned that the proportion of population in each Province would be the best and least exceptional mode for ascertaining the proportion of duties to be received by each province; but as this mode appears not to be consonant to the views, and objectionable in the judgment of the Commissioners of Lower Canada, the undersigned Commissioners beg leave to suggest that all dutiable goods thereafter destined to pass from Lower Canada be entered at the Custom House of Montreal, aided by a barrier at Lachine, with an Inspector stationed there, with power to stop all carriages and boats, to ascertain that their loading going to Upper Canada has been so entered, or to receive an entry of the same there, to be by this Inspector reported to the Custom House in Montreal.

(Signed) Thomas Clarke, Allan McLean, Jonas Jones.

Montreal, 15th July, 1821.

Copy of a letter which acccompanied the foregoing.

Montreal, 15th July, 1821.

Sir:—I am requested by the Commissioners on behalf of the Province of Upper Canada to transmit to you the enclosed communication, and to request a meeting as soon as convenient on the subject of the Commission.

I have the honor to be, Sir,

Your very obedient servant,

(Signed) ALLAN MCLEAN.

The Honourable J. L. Papineau, etc.

See memorandum at the end with report.

No. 4.

The undersigned Commissioners on the part of Lower Canada have taken into consideration the reply which they received last evening from the Commissioners of Upper Canada, to the observations and proposals which the undersigned had the honor to submit on the 11th instant. The undersigned conceive it to be unnecessary to enter into any further discussion on the subject of arrearages under former agreements alleged to be due by the Commissioners of Upper Canada, since both parties seem to admit that the fulfilling of those agreements belonged to the Executive Government of both Provinces, respectively; and the undersigned are of opinion that any misunderstanding which may exist on the subject can only regularly come before the respective Legislatures through the Executive. The undersigned think it, however, again proper to repeat their conviction so far as their present information goes, that the settlement which they mentioned in their observations of the 11th instant must be considered final. The Commissioners on the part of Lower Canada do not feel themselves warranted in any departure from the mode which they assigned for ascertaining the proportion of dutiable articles which have passed into Upper Canada for consumption since the 1st July, 1819.

There being no agreement in force, it is only on grounds of equity and former practice that the Province of Upper Canada can claim any share of the Duties levied in Lower Canada. The Commissioners on the part of Lower Canada are willing on these grounds to enter into an agreement for a proportion of the Revenue of Lower Canada being paid to Upper Canada; but in order to determine this proportion, it is necessary that they should know as nearly as the case will admit of, what proportion of dutiable goods entered into Lower Canada have actually passed into Upper Canada for consumption within the period for which such proportion is to be allowed. It would perhaps be fortunate if the exportations from Lower Canada into Upper Canada were still to exist, as in the first years after the war, but every one of the inhabitants of both Provinces knows by his own experience that it is no longer the case.

The Commissioners of Lower Canada cannot consent to any measure which might probably authorize the taking of the money levied on the inhabitants of Lower Canada and actually paid by them in the first instance to make an allowance to Upper Canada for consumption and consequent repayment of duties which may not have existed. The Commissioners of Lower Canada are well aware that novel and unprecedented circumstances will give rise to novel and unprecedented modes of proceeding, but they have the satisfaction to observe that on this occasion the mode proposed by them is precisely that

which was carried into practice when the first agreement was entered into in 1795. The Commissioners on the part of the Province of Upper Canada are apprehensive that their views in regard to the future have not been sufficiently expressed or rightly understood. They beg leave to state it as their decided conviction that their duty to their constituents will not authorize them to enter into any Provisional Agreement for any period beyond the close of the next Session of the Legislature, which shall not have for its basis the sole collection of its own Revenue by both Provinces respectively, without either of them being charged with the payment or refunding the proportions of duties on drawbacks to the other; and to effect any such agreement on terms of perfect equity and reciprocity, the undersigned have been, and are still, willing to give their most assiduous application and assistance.

(Signed) J. L. Papineau, Austin Cuvillier, John Davidson, J. Neilson, G. Gordon.

Montreal, 17th July, 1821.

Report of the Commissioners appointed by the Act of Geo. 1st, chap. 4th, to treat with Commissioners on the part of Upper Canada, concerning duties:

The Commissioners of both Provinces met at Montreal at the House of the Honorable J. L. Papineau, on Thursday, the 5th July, 1821, conformably to notice given to the Commissioners of Lower Canada, by order of His Excellency, the Governor in Chief.

Present: The Hon. J. L. Papineau, Austin Cuvillier, John Davidson, George Gordon, John Neilson, on behalf of Lower Canada; and

The Hon. Thos. Clarke, Allan McLean, and Jonas Jones, Esq., on behalf of Upper Canada.

After some observations on both sides by different Commissioners, it was agreed by the Commissioners of Lower Canada that the Commissioners on behalf of Upper Canada should communicate in writing the claims or proposals which they had to make, supported by such statements they might think proper.

TUESDAY, 10th July, 1821.

The Commissioners on behalf of Lower Canada met at the House of the Honorable J. L. Papineau, conformably to notice, when the Honorable J. L. Papineau informed the Commissioners that he had received on the preceding evening a written communication from the Honorable F. Clarke on behalf of the Commissioners of Upper Canada, which communication is hereunto annexed, and marked "A."

WEDNESDAY, 11th July.

The answer hereunto annexed and marked "B" in answer to the communication on the part of Upper Canada was read, and agreed to unanimously, and, being signed by all the Commissioners, was delivered to the Honorable Mr. Clark by the Honorable Mr. Papineau.

TUESDAY, 17th July, 1821.

The Commissioners met, conformably to notice from the Honorable J. L. Papineau, who communicated the annexed reply, marked "C," on the part of the Commissioners of the 11th instant, and the annexed answer marked "D" was read and agreed to, and, being signed by the Commissioners, was communicated to the Honorable Mr. Clark, and the Honorable F. Clark and Mr. McLean having signified to Mr. Davidson and Mr. Neilson that the Commissioners of Upper Canada did

not find themselves warranted in deviating from the pretensions and proposals delivered yesterday evening, and that if the Commissioners on the part of Lower Canada were determined to persist in their proposals, any further meeting would be unnecessary. It was determined on the part of the Commissioners of Lower Canada to discontinue all further proceedings for the present; they, on their part, seeing no reason to deviate from the proposals which they had given in.

(Signed) J. D.

Memorandum to be attached to Mr. McLean's note of the 16th July, 1821, to Mr. Papineau:

No answer being received to the foregoing note, document No. 4 excepted, which was delivered by Mr. Davidson to Mr. Clark, at La Chine, on the 17th July; on the 21st July Mr. McLean and Mr. Clark called on Mr. Papineau at his house, and they learnt that Mr. Papineau had left town, to be gone for two weeks; after which on the same day (the 21st) they called upon Mr. Garden, who said he had neither seen, nor before heard of, the foregoing note from Mr. McLean, and that he had not before seen or heard of the report (signed "J. D.," now shown to him); also that the report was not consonant to his ideas; and further added that had he seen the above note he should have decidedly have been of opinion that the Commissioners of both Provinces should have a meeting together.

(Signed) F. CLARK.

July 21st, 1821.

Remarks.

F. Clark says that on Tuesday, the 17th July, 1821, he met at La Chine, at the opening of the new canal, Messrs. Davidson and Neilson, who asked Mr. Clark if the Commissioners of Upper Canada would recede from what they had proposed. Mr. Clark said he thought not, but that he, Mr. Clark, had no objection on his own part to try the mode proposed to find out the quantity of goods sent to Upper Canada for the last two years, saying, at the same time, that the experiment, if tried, would be of no use.

Mr. Davidson and Mr. Neilson then said the business was at an end, and that they would go off for Quebec that evening, and that as soon as they got Mr. Garden's signature they would hand him (Mr. Clark) the answer to the remarks of the Commissioners of Upper Canada, given in yesterday.

This answer Mr. Davidson accordingly gave to Mr. Clark in about one quarter of an hour afterwards, and is supposed to be document marked "D," alluded to in the foregoing, and is marked No. 4 in the report of the Commissioners of Upper Canada. Mr. Davidson also told Mr. Clark that he would furnish to the Commissioners of Upper Canada a copy of their Report, which is supposed to be the foregoing, which was delivered to Mr. Jones, and not seen by Mr. Clark till the 20th.

(Signed) F. CLARK.

Mr. McLean says that there was no such communication made to him as stated in the foregoing paper.

Certified to be a true copy of the original Report.—(Signed) G. HILLIER.

Mr. Hagerman, seconded by Mr. McDonell, moves that one hundred copies of the Report of the Commissioners, and documents thereunto annexed, be imme-

diately printed, and that the Clerk of the House be directed to procure the same. Which was carried.

Mr. Attorney-General gives notice that he will move, on Thursday next, that the House do resolve itself into a Committee of the Whole, to take into consideration that part of His Excellency's Speech at the opening of the Session which regards the financial arrangements between this Province and Lower Canada.

Dr. Baldwin, seconded by Mr. Hagerman, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the accommodation of the Chamber and building belonging to the House of Assembly. Which was carried, and Mr. Robinson took the chair of the Committee.

The House resumed. Mr. Robinson reported that the Committee had agreed to certain resolutions, which they recommended to the adoption of the House. Ordered, that the Report be received, and it was.

Resolved, that the chambers at present occupied by the Serjeant-at-Arms, being required for the use of the Committees of this House, the Speaker do direct that one of them be immediately vacated, and the other as soon as possible.

Resolved, that the Clerk of the House be directed to obtain, for the use of members, two cases, with drawers in each, with locks and keys, to be placed adjoining the Committee rooms.

Mr. Attorney General, seconded by Mr. McDonell, moves that an humble Address be presented to His Excellency, the Lieutenant Governor, expressing the thanks of this House to His Excellency for having procured, on his personal responsibility, an advance of the funds necessary for carrying on the Public Service during the suspension of the receipt of our Revenue arising from duties levied at the Port of Quebec, and assuring His Excellency that this House will bear in mind the necessity of considering the fund, arising from the amount of such duties, subject to a deduction, to replace such advances whenever it may be received. Which was carried.

Mr. Attorney General, seconded by Mr. McDonell, moves that Messrs. Hagerman and Burwell be a Committee, to prepare the Address in answer to His Excellency's Message of this day, respecting the Public Accounts, agreeably to the foregoing Resolutions. Which was carried.

Mr. Hagerman, first named of the Committee to draft an Address to His Excellency the Lieutenant Governor on the foregoing Resolutions, reported a draft, which was read the first time.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Address to His Excellency the Lieutenant-Governor, in answer to his Message of this day respecting the Public Accounts, be read a second time on Monday. Which was ordered.

The House adjourned till ten o'clock on Monday.

Monday, 26th November, 1821.

The House met. Prayers were read. The minutes of Saturday were read.

Agreeably to notice, Dr. Baldwin, seconded by Mr. Jones of Leeds, moves that Messrs. P. Robinson, Crooks and Kerr be a Committee to inquire into the state of the Public Posts for conveyance of Letters throughout this Province—how far the present system is sanctioned by law, and whether the same can be, and in what manner, beneficially altered—that the said Committee have power to send for persons and papers, and to report by Bill or otherwise. Which was carried.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Hagerman, moves

for leave to bring in a Bill respecting the Sale of Lands in execution in this Province. Which was granted, and the Bill read.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the Sale of Lands Bill be read a second time on Friday next. Which was ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. McDonell, moves for leave to bring in a Bill to continue the Provision for certain Sheriffs in this Province, and to make further regulation respecting the Office of Sheriff. Which was granted, and the Bill read.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Sheriffs' Bill be read a second time on Wednesday next. Which was ordered.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, was read the second time.

Mr. Attorney General, seconded by Mr. McDonell, moves that the House do now resolve itself into a Committee upon the Address to His Excellency the Lieutenant Governor, in answer to His Excellency's Message respecting the Public Accounts. Which was carried. Mr. Hamilton of Lincoln was called to the Chair of the Committee.

The House resumed. Mr. Hamilton reported the Address amended. Ordered, that the Report be received.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Address to His Excellency the Lieutenant Governor, in answer to His Excellency's Message respecting the Public Accounts, be engrossed, and read a third time this day, and that the Fifth Rule of this House be dispensed with as far as regards the said Address. Which was ordered.

Mr. Hagerman gives notice that he will, on Friday next, move that the House do resolve itself into a Committee to take into consideration that part of His Excellency's speech relating to the Cultivation of Hemp and the Agricultural produce of this Province.

Mr. Burwell, seconded by Mr. Bostwick, moves for leave to bring up the Petition of the Inhabitants of the County of Middlesex, praying to have an Act passed erecting the said County into a separate District. Which was granted, and the Petition brought up.

Mr. Burwell, seconded by Mr. Bostwick, moves for leave to bring up the petition of the Townships of Malahide and Bayham, praying that a law may not be passed taking the said Townships from the County of Middlesex, and adding them to the County of Norfolk. Which was granted, and the Petition brought up.

Mr. Jones, of Grenville, gives notice that he will, on to-morrow, move for the appointment of a Committee of Finance, to consist of five members, with power to send for persons and papers.

Mr. Hagerman gives notice that he will, on to-morrow, move for the appointment of a Committee, to take into consideration the state of the Administration of Justice in this Province.

Agreeably to order, the Address to His Excellency the Lieutenant Governor was read the third time, passed, and signed by the Speaker, as follows:—

To His Excellency Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major-General commanding His Majesty's Forces therein, etc.

May it please Your Excellency:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to express our humble thanks for Your Excellency's gracious Message, informing us of Your Excellency's having procured, on your personal responsibility, an advance of the funds necessary for carrying on the Public Service during the suspension of the receipt of our Revenue arising from duties levied at the Port of Quebec; and we assure Your Excellency that we will bear in mind the necessity of considering the fund arising from the amount of such duties, whenever the same may be received, subject to a deduction, to replace the advances which have been or may be made by Your Excellency to meet expenditures sanctioned by the Legislature.

L. P. SHERWOOD, *Speaker.*

Commons House of Assembly, 26th November, 1821.

Mr. Jones, of Grenville, seconded by Mr. Kerr, moves that Messrs. Burwell and Hamilton, of Lincoln, be a Committee to wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive the Address of this House, and to present the same. Which was ordered.

Dr. Baldwin, seconded by Mr. Burwell, moves that the Clerk be directed to procure the map of this Province, sent down by His Excellency for the use of this House, to be mounted on rollers, and that it be hung up in the Chamber. Which was carried.

Mr. Ruttan gives notice that he will, on to-morrow, move for the appointment of a Committee to examine the laws relating to Boundary Lines of Townships, etc., within this Province, with power to send for persons and papers, and to report thereon by Bill or otherwise.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 27th November, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Burwell, from the Committee to wait upon His Excellency the Lieutenant Governor, with the Address of this House thanking him for his message relating to the Public Accounts, and deliver the same, reported they had done so.

Mr. Secretary Cameron brought down the detailed accounts.

Agreeably to notice, Mr. Crooks, seconded by Mr. Casey, moves for leave to bring in a Bill to extend the provisions of the laws now in force for laying out, amending and keeping in repair the Highways and Roads in this Province. Which was granted, and the Bill read.

Mr. Crooks, seconded by Mr. Casey, moves that the Road Extension Bill be read a second time on Thursday next. Which was ordered.

Agreeably to notice, Mr. Casey moves for leave to bring in a Bill to alter and amend the laws now in force regulating the Practice of Physic and Surgery throughout this Province. Which was granted, and the Bill read.

Mr. Casey, seconded by Mr. Shaver, moves that the Physic and Surgery Bill be read a second time on Tuesday next, which was ordered.

Agreeably to notice, Mr. Jones, of Grenville, seconded by Mr. Bostwick, moves that Messrs. McMartin, Burwell, Morris, McLean of Stormont, and Robinson be a Committee of Finance, to take into consideration the Public Accounts, with power to send for persons and papers.

In amendment, Mr. Burwell, seconded by Mr. Bostwick, moves that the name of Jones of Grenville be inserted in the motion before the name of Mr. McMartin. Which was carried.

The original question as amended was then put and carried.

Dr. Baldwin, seconded by Mr. Chisholm, moves that Messrs. Hamilton of Wentworth and Crooks be added to the Committee of Finance. Which was carried.

Mr. Hamilton, of Wentworth, seconded by Mr. Clark, moves that Messrs. Willson, of Wentworth, Horner and Wilmot be added to the Committee of Finance. Which was lost.

Agreeably to notice, Mr. Hagerman, seconded by Mr. Burwell, moves that Messrs. Attorney General, Jones, of Grenville, McDonell, Morris and Willson, of Wentworth, be a Committee to inquire into the Administration of Justice in this Province, and report, by bill or otherwise, with power to send for persons and papers.

In amendment, Mr. Crooks, seconded by Mr. Burwell, moves that the name of Mr. Baldwin be added to the Committee on the Administration of Justice in this Province. Which was carried.

The original question as amended was then put and carried.

Agreeably to notice, Mr. Ruttan, seconded by Mr. Kerr, moves that Messrs. Wilmot, McLean, of Stormont, Burwell, Horner, Bostwick and Crooks be a Committee to examine the laws relating to Boundary Lines of Townships, Lots, etc., within this Province, with power to send for persons and papers, and that they have leave to report by bill or otherwise. Which was ordered.

Mr. Attorney General, seconded by Mr. Gates, moves that the Clerk of the Crown in Chancery be directed to bring up the Writ of Election with the Return of a Member to serve in Parliament for the Incorporated Counties of Lenox and Addington. Which was ordered.

Mr. Morris gives notice that he will, on Monday next, move for leave to bring in a Bill to amend the Revenue Laws of this Province.

Mr. Jones, of Grenville, gives notice that he will, on to-morrow, move for leave to bring in a Bill to repeal an Act, passed in the forty-fourth year of His late Majesty's reign, entitled "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof."

Mr. Jones, of Grenville, gives notice that he will, on to-morrow, move for leave to bring in a Bill to repeal an Act, passed in the fifty-sixth year of His late Majesty's reign, entitled, "An Act for granting to His Majesty a sum of money, and to provide for the appointment of a Provincial Agent for this Province."

Agreeably to order, Samuel P. Jarvis, Esquire, Clerk of the Crown in Chancery, brought up the Writ of Election, with the Return of a Member to serve in Parliament for the Incorporated Counties of Lenox and Addington, which were read as follows:—

UPPER CANADA.

P. MAITLAND.

George the Fourth, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To the Returning Officer of the County of Lenox and Addington, greeting.

Whereas it has been made known to us that Daniel Hagerman, of the Town of Bath, in the Midland District, Esquire, elected and chosen one of the Knights for the said County of Lenox and Addington, to represent the said County in our

Assembly in and for Our said Province of Upper Canada, hath departed this life. We command you firmly, enjoining you that having made proclamation in your said County within eight days after the receipts of this, Our Writ, and thereby notified, a day and place for the Election of a Member to serve the said County in the said Assembly, you cause on the said day and place one Knight, girt with a sword, the most fit and discrete, to be freely and indifferently chosen to represent the said County in the said Assembly, in the place of the said Daniel Hagerman, deceased, by those who shall be present at the day of Election to be fixed by such Proclamation, and the name of the said Member or Representative so chosen in certain Indentures between you and those who shall be present at such election to be thereof made, whether the said person so chosen be present or absent, to be inserted, and him you cause to come to the said Assembly so that the said Member or Representative have full and sufficient power to himself and the commonalty of the said County, severally from them, to do and consent to those things which then by the favor of God shall happen to be ordained by the Common Council of Our said Province upon our affairs, so that for default of such power or through improvident election of the said member or representative the said affairs remain not undone in any wise. And we will not that you or any other Returning Officer, or any Member of Our Legislative Council of Our said Province, or any Minister of the Church of England, or any Minister, Priest, Ecclesiastic or Teacher, either according to the Rites of the Church of Rome, or under any other form or profession of religious faith or worship, by any means be chosen, and you certify forthwith unto us into Our Chancery at the said day and place for holding the said Assembly the said Election made in full county, distinctly and openly, under your seal and the seals of those who shall be present at the said Election, sending to us one part of the said Indenture, annexed to these presents, together with this Writ, on or before the twenty-first day of November next ensuing.

In Testimony Whereof we have caused these our Letters to be made patent, and the Great Seal of Our said Province to be hereunto affixed. Witness our trusty and well beloved Sir Peregrine Maitland, K.C.B., Lieutenant Governor of Our said Province, and Major General commanding Our Forces therein, at York, this Second day of October, in the year of Our Lord, One thousand eight hundred and twenty-one, and in the Second year of Our Reign.

By His Excellency's Command.

D. CAMERON, *Sec'y.*

Samuel P. Jarvis, Clk. Cn. Chancery.

This Indenture made the Tenth day of November, in the year of Our Lord, One thousand eight hundred and twenty-one, and in the second year of the Reign of Our Sovereign Lord George the Fourth, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, between John McLean, Esquire, Returning Officer for the Incorporated Counties of Lenox and Addington, in the Province of Upper Canada, of the one part, and William Cottier, Davis Hawley, John Bell, Bowen Aylesworth, and Henry Lasher, Esquires, of the other part, Witnesseth that in pursuance of His Majesty's Writ, bearing date the second day of October, one thousand eight hundred and twenty-one, at York, in the Province aforesaid, after Proclamation thereof made on the twenty-fifth day of October, one thousand eight hundred and twenty-one, according to the tenor of the said Writ.

We, the said William Cottier, Davis Hawley, John Bell, Bowen Aylesworth

and Henry Lasher, Esquires, Freeholders of the Incorporated Counties of Lenox and Addington, have chosen Barnabas Bidwell, Esquire, to be Member and Representative to serve for the incorporated Counties of Lenox and Addington in the Assembly to be holden on the twenty-first day of November next, at York, in the Province aforesaid, and by these presents have given and do give unto the said Barnabas Bidwell, Esquire, full and sufficient power for himself and the Commonalty of the Incorporated Counties of Lenox and Addington, to go and consent to those things which then and there by the favor of God shall happen to be ordered by the Common Council of the said Province.

In Witness Whereof the said parties to these presents have interchangeably set their hands and seals the day and year first above mentioned.

(Signed) John McLean, L.S., Returning Officer; Wm. Cottier, L.S.; Davis Hawley, L.S.; John Bell, L.S.; Bowen Aylesworth, L.S.; Henry Lasher, L.S.

In presence of Sheldon Hawley.

J. P. Hall, Clerk of the Polls.

Mr. Attorney General, seconded by Mr. Morris, moves that it be resolved that the Petition of Timothy Storing and others, Freeholders of the Incorporated Counties of Lenox and Addington, contains grounds and reasons of complaint sufficient, if true, to make void the election of Barnabas Bidwell, Esq. On which Debates ensued.

Dr. Baldwin, seconded by Mr. Peterson, moves that the debate on the Petition of the Freeholders of the Incorporated Counties of Lenox and Addington, complaining of the undue election of Barnabas Bidwell, be adjourned till Thursday. Which was carried.

Mr. Morris gives notice that he will, on Tuesday next, move for leave to bring in a Bill to alter and amend the laws now in force for the appointment of Registers within this Province.

Mr. Jones, of Leeds, gives notice that he will, on to-morrow, move that it be resolved that it is expedient that the debates of this House during the present Session be taken, and that a shorthand writer be employed for that purpose, and that the sum of £..... be appropriated to defray the expense thereof.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 28th November, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to order, Petitions Nos. 2 and 3 were read.

Agreeably to notice, Mr. Hagerman, seconded by Mr. Attorney General, moves for leave to bring in a Bill to amend the laws now in force relating to the Registry of Deeds of Bargain and Sale within this Province. Which was granted, and the Bill read.

Mr. Hagerman, seconded by Mr. Attorney General, moves that the Bill relating to Registering of Deeds of Bargain and Sale be read a second time on Saturday next. Which was ordered.

Agreeably to the order of the day, the Bill for continuing the Acts making provision for certain Sheriffs within this Province was read the second time.

Mr. Attorney General, seconded by Mr. McDonell, moves that the House do now resolve itself into a Committee upon the Sheriffs' Bill. Which was carried, and Mr. Bostwick took the Chair of the Committee.

The House resumed. Mr. Bostwick reported the Bill as amended. Ordered, that the Report be received.

Mr. Attorney-General, seconded by Mr. McDonell, moves that the Sheriffs' Bill be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to notice, Mr. Jones, of Grenville, seconded by Dr. Baldwin, moves for leave to bring in a Bill to repeal an Act, passed in the forty-fourth year of His late Majesty's reign, intituled "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof." Which was granted, and the Bill read.

Mr. Jones, of Grenville, seconded by Mr. Robinson, moves that the Bill to repeal an Act, passed in the forty-fourth year of His late Majesty's reign, intituled "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof," be read a second time on Saturday next.

In amendment, Dr. Baldwin, seconded by Mr. Jones, of Leeds, moves that "Saturday next" be expunged, and that "Monday next" be inserted. Which was carried.

The original question as amended was then put and carried.

Agreeably to notice, Mr. Jones, of Grenville, seconded by Mr. Robinson, moves for leave to bring in a Bill to repeal an Act, passed in the fifty-sixth year of His late Majesty's reign, intituled "An Act for granting to His Majesty a sum of money, and to provide for the appointment of a Provincial Agent for this Province." Which was granted, and the Bill read.

Mr. Jones, of Grenville, seconded by Mr. Robinson, moves that the Bill to repeal an Act, passed in the fifty-sixth year of His late Majesty's reign, intituled "An Act for granting to His Majesty a sum of money, and to provide for the appointment of a Provincial Agent for this Province," be read a second time on Saturday next. Which was ordered.

Agreeably to notice, Mr. Jones, of Leeds, seconded by Mr. Willson, of Wentworth, moves that it be resolved that it is expedient the debates of this House during the present session be reported, and that a stenographer or stenographers be employed for that purpose, and that the sum of Seventy-five Pounds be appropriated to defray the expenses thereof.

On which the House divided, and the yeas and nays being taken were as follows:—

Yeas: Messrs. Gates, Robinson, Jones (Grenville), Jones (Leeds), Baldwin, Willson (P. Edward), Hamilton (Wentworth), Horner, Willson (Wentworth), Randal, Wilmot, Kerr, Bidwell, Pattie, Walsh, Crooks, Ruttan, Peterson, Rogers, Casey.

Nays: Messrs. McMartin, Bostwick, Burwell, Hamilton (Lincoln), White, McLean (Stormont), Hagerman, Attorney General, Shaver, Morris, McDonell.

The question was carried in the affirmative by a majority of nine, and ordered accordingly.

Mr. Secretary Hillier brought down from His Excellency, the Lieutenant Governor, the following messages and letter.

P. MAITLAND.

The Lieutenant Governor transmits to the Commons House of Assembly a return of debentures issued by the Receiver General under the provisions of the Provincial Statute, Second George the Fourth, Chapter Fifth.

Government House, 28th Nov., 1821.

P. Maitland.

The Lieutenant Governor, in the present state of the Provincial Finance, thinks proper to lay before the Commons House of Assembly an account of the expenditure of the fund provided by the Fifty-sixth, George the Third, chapter Twenty-six, conceiving it will be satisfactory to the House to procure that so much of that fund as has exceeded the annual charge for the retired allowances to the late Chief Justice and Receiver General, and the Salary of the Speaker of the Legislative Council has been chiefly expended on objects which have been sanctioned by the Legislature, but which at the moment of payment the proper fund was not provided to meet.

The Lieutenant Governor thinks fit to remind the House that such payments must be considered as subject to the approbation of the Lords Commissioners of His Majesty's Treasury.

Government House, Nov. 28th, 1821.

Government House, Nov. 28th, 1821.

Sir:—I am commanded by His Excellency, the Lieutenant Governor, to transmit to you the accompanying copy of a despatch received from His Majesty's Principal Secretary of State for the Colonies.

I have the honor to be, Sir,
Your most obedient humble servant,
G. Hillier.

The Honorable the Speaker of the Commons House of Ass'y.

Downing Street, 16th June, 1821.

Sir:—Mr. Goulbourn has submitted to me the letter which you had received from Mr. Halton, on the subject of the Provincial Journal, which had been, at the request of the Legislature, prepared in this Country for transmission to Canada, and as you seem to consider that Mr. Halton has made a similar communication to the Speaker of the two Houses, I think it necessary to put you in possession of all the facts of the case, in order that you may have the means of contradicting any ill effect which Mr. Halton's representation may produce upon the minds of the Legislature.

It is perfectly true that the Journals as originally sent to Mr. Halton were copied in office books similar to those used in entering the despatches in this office, and that having been copied in chronological order, no division was made between the Journals of the Council and those of the Legislative Assembly. The books in question have been made use of with the view of saving the expense of new books, and limiting the charge of the Colony to that of mere copying, and no separate arrangement of the several proceedings had been made, under the idea that the Legislature might wish to have that arrangement left at their own disposal.

It is perfectly true also that on delivering the books to Mr. Halton the state and arrangement of them was objected to by him, and they were therefore returned to the office, Mr. Halton being at the time of returning them apprised that they would be arranged in any manner pointed out by him, and rebound in the course of a fortnight.

They were accordingly completed within that time, without any charge to the Province; but although nine months have now elapsed since they were ready for delivery, Mr. Halton has not made any application to receive them, or to

repay the expense of the copying, which was returned to him when his first objection was made by him to the manner in which it had been executed.

I have the honor to be, Sir,
Your most obedient humble servant,
(Signed) BATHURST.

(A true copy.)
G. HILLIER.

Mr. Jones, of Grenville, seconded by Mr. Robinson, moves that the House do, on Monday next, resolve itself into a Committee of the Whole, to take into consideration His Excellency the Lieutenant Governor's message, on the subject of the expenditure of the money granted to His Majesty by an Act passed in the fifty-sixth year of His late Majesy's Reign, chapter Twenty-sixth. Which was ordered.

Mr. Jones, of Leeds, seconded by Mr. Willson, of Prince Edward, moves that it be resolved that a Committee of the following persons be appointed, to carry into execution a resolution of the House relative to the Debates being reported, and that it be composed of Messrs. Crooks, Hamilton, of Wentworth, Willson, of Wentworth, and Rogers. Which was carried.

Mr. Burwell, seconded by Mr. Gates, moves that the Petition of the Inhabitants of the County of Middlesex generally, together with the Petition of the Inhabitants of the Townships of Malahide and Bayham, in the said County, having been read, be entered on the Journals. Which was carried, and are as follows:

To the Honorable the Commons House of Assembly of Upper Canada, in Provincial Parliament assembled.

The Petition of the Inhabitants of the Townships of Dunwich, Aldborough, Southwold, Yarmouth, Malahide, Bayham, Dorchester, Westminster, London, Lobo, Caradoc, Ekfrid, Moxa and Delaware, in the County of Middlesex,

Humbly Sheweth: That Your Petitioners are settled in a compact and populous settlement in the Townships above named, quite removed from the Township of Charlotteville, in which His Majesty's Court of Assize and General Quarter Sessions of the Peace for the District of London (of which they at present form a part) are usually holden, as may be seen by inspection of the map of the said District.

That Your Petitioners at present experience great expense and inconvenience (from leaving their families destitute of their protection) in going to serve as Jurors, and in attending the Courts of Justice at Charlotteville, which is twenty-five miles from that point of their settlement which approximates nearest to it, and upwards of one hundred miles from that part which is the most distant.

That Your Petitioners have all made their settlements subject to the same system, and are connected and interwoven with each other by a common acquaintance and the ties of consanguinity, in so much that it is very desirable for them not to be disunited.

Wherefore Your Petitioners pray that Your Honorable House will be pleased to pass a law, forming the before mentioned Townships into a separate District.

And, as in duty bound, Your Petitioners will ever pray.

(Signed by) David Sull, and 1,480 others.

November, 1821.

To the Honorable the Commons House of Assembly of Upper Canada in Provincial Parliament assembled.

The Petition of the Inhabitants of the Townships of Malahide and Bayham, in the County of Middlesex, in the London District,

Most Humbly Showeth: That during the last Session of the Provincial Legislature, Your Petitioners, to their great concern, were informed through the medium of the public Newspaper that an effort was made in Your Honorable House to take the above named Townships from the County of Middlesex, and to add them to the County of Norfolk.

That His Majesty's Letters Patent to Your Petitioners for lands in the said Townships describe them as being in the County of Middlesex. That the settlements in the said County have been formed upon one uniform principle of settlement duly interrupted by very little unoccupied land, and that Your Petitioners conceive it to be very much to their interest and advantage to remain in the said County. That the said Townships of Bayham and Malahide are separated from the settlement in the County of Norfolk by the School Townships of Houghton and Middleton, in which there are but few settlers.

Wherefore Your Petitioners pray that Your Honorable House will not pass a law to separate them from the County of Middlesex,

And, as in duty bound, they will ever pray. 1308808

(Signed by) Andrew Anderson, and 335 others.

November, 1821.

Mr. Jones, of Grenville, gives notice that he will, on to-morrow, move for leave to bring in a Bill to repeal the laws now in force, granting to the Receiver General of this Province Poundage on money passing through his hands, and to provide a salary for that officer in lieu of such Poundage.

Mr. Burwell, seconded by Mr. Robinson, moves that the House do now go into a Committee of the Whole, to take into consideration the Petition of the Inhabitants of the County of Middlesex. Which was lost.

Mr. McLean, of Stormont, seconded by Mr. Shaver, moves for leave to bring up the Petition of the Inhabitants of the Third Concession of the Township of Osnabruck, in the Eastern District. Which was granted, and the Petition brought up.

Mr. Hamilton, of Lincoln, gives notice that he will, on Monday next, move for leave to bring in a Bill to establish certain limits to the Gaols within this Province.

Mr. Burwell gives notice that he will, on Friday next, move that this House do resolve itself into a Committee of the Whole, to take into consideration the Petition of the Inhabitants of the County of Middlesex.

Dr. Baldwin gives notice that he will, on Friday next, propose certain resolutions to the House expressive of its sense of the necessity there is for the repeal of the Act, passed in the forty-fourth year of His late Majesty's Reign, intituled "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof."

The House then adjourned till ten o'clock to-morrow.

Thursday, 29th November, 1821.

The House met: Prayers were read: The minutes of yesterday were read:

On the order for the third reading of the Bill to continue the Act relating to the Sheriffs being called:

Mr. Attorney General, seconded by Mr. Morris, moves that the Sheriffs Bill be now recommitted. Which was carried, and the House went into Committee accordingly, Mr. Bostwick in the Chair.

The House resumed. Mr. Bostwick reported the Bill as amended. Ordered, that the Report be received.

Mr. Attorney General, seconded by Mr. Jones, of Grenville, moves that the Sheriffs Bill be now read a third time, and that the Fifth Rule of this House be dispensed with as far as respects the said Bill. Which was carried, and the Bill read the third time.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Sheriffs Bill do now pass, and that the title thereof be "An Act to continue an Act, passed in the forty-sixth year of His late Majesty's Reign, intituled An Act to make provision for certain Sheriffs in this Province, and a certain other Act of the Parliament of this Province, passed in the fifty-seventh year of His late Majesty's Reign, intituled An Act further to continue an Act passed in the forty-sixth year of His late Majesty's Reign, intituled An Act to make provision for certain Sheriffs in this Province, and also to extend the provisions of the said Act, and to make further regulation respecting the said office of Sheriff."

On which the House divided, and the yeas and nays being taken were as follows.

Yeas: Messrs. Burwell, Bostwick, Jones (Grenville), Willson (P. Edward), Chisholm, Pattie, Crooks, Randal, Peterson, Kerr, Bidwell, Rogers, White, McMartin, Walsh, Hagerman, Attorney General, Shaver, Gates, Hamilton (Lincoln), Morris, McDonell.

Nays: Messrs. Clark, Willson (Wentworth), Hamilton (Wentworth), Ruttan.

The question was carried in the affirmative by a majority of eighteen, and the Bill was signed.

Mr. Attorney General, seconded by Mr. McDonell, moves that Messrs. Morris and Hamilton, of Lincoln, be a Committee to carry up to the Honorable the Legislative Council the Sheriffs Bill, and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Road Bill was read the second time.

Mr. Crooks, seconded by Mr. Clark, moves that this House do now resolve itself into a Committee of the Whole to take into consideration the Bill to extend the laws now in force for laying out and keeping in repair the Highways and Roads in this Province. Which was carried, and Mr. Gates was called to the Chair of the Committee.

The House resumed. Mr. Gates reported progress, and obtained leave to sit again on Tuesday next.

Mr. Morris, of the Committee to take up to the Honorable the Legislative Council the Sheriffs Bill, and request their concurrence thereto, reported they had done so.

Agreeably to the order of the day, the debate on the Petition of the Incorporated counties of Lenox and Addington was returned.

Dr. Baldwin, seconded by Mr. Willson, of Prince Edward, moves that the debate on the Petition of the Freeholders of the Incorporated Counties of Lenox and Addington, complaining of the want of qualification of Barnabas Bidwell to hold his seat as Member of this House, be adjourned till Saturday next. Which was lost.

On the main question the House divided, and the yeas and nays were taken as follows.

Yeas: Messrs. Crooks, Bostwick, Burwell, Robinson, Jones (Grenville), Jones (Leeds), Willson (Prince Edward), Chisholm, Wilmot, Ruttan, McMartin,

Walsh, McLean (Stormont), Gates, Attorney General, Shaver, Hagerman, Hamilton (Lincoln), Morris, McDonell, Baldwin.

Nays: Messrs. Pattie, Horner, Clark, Randall, Willson (Wentworth), Peterson, Kerr, Hamilton (Wentworth), Rogers, White, Casey.

The question was carried in the affirmative by a majority of ten, and it was accordingly

Resolved, That the Petition of Timothy Storing and others, Freeholders of the Incorporated Counties of Lenox and Addington, contains grounds and reasons of complaint sufficient, if true, to make void the Election of Barnabas Bidwell, Esquire.

Mr. Attorney General, seconded by Mr. Morris, moves that Saturday, the Twenty-ninth day of December next, at the hour of eleven o'clock in the forenoon, be appointed for taking into consideration the Petition of Timothy Storing and others against the Election of Barnabas Bidwell, Esquire, and that notice thereof be given by the Speaker, pursuant to law.

In amendment, Mr. Jones, of Grenville, seconded by Mr. Burwell, moves that after the word "that" in the original motion, the whole be expunged, and the following words be inserted:—

Resolved, That Barnabas Bidwell, Esquire, sitting Member for the Counties of Lenox and Addington, having admitted before this House that he was born in the British Province of Massachusetts Bay, that he remained in the said Province during the Rebellion of the British Colonies, being under age, and without taking up arms against the Mother Country, that after arriving to the full age of twenty-one years he was appointed Treasurer of the County of Berkshire, Attorney General of the State of Massachusetts and Member of Congress, that he took an oath to support the Constitution of the United States of America, that he is a Protestant, came to this Province in the year One thousand eight hundred and ten and has constantly resided therein and taken the Oath of Allegiance to His Majesty, This House are of opinion that the said Barnabas Bidwell, not being naturalized by any British Act of Parliament, is an Alien, and is therefore incapable of being elected to serve in the Parliament of this Province.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Crooks, Burwell, Jones (Grenville), Jones (Leeds), Ruttan, McMartin, McLean (Stormont), Hagerman, Shaver, Robinson, Attorney General, Morris.

Nays: Messrs. Bostwick, Baldwin, Willson (P. Edward), Chisholm, Pattie, Horner, Wilmot, Randall, Clark, Willson (Wentworth), Peterson, Hamilton (Wentworth), Kerr, Rogers, White, Walsh, Gates, Casey, Hamilton (Lincoln), McDonell.

The question was decided in the negative by a majority of eight.

The main question was then put and carried.

The House then adjourned till ten o'clock to-morrow.

Friday, 30th November, 1821.

The House met: Prayers were read: The minutes of yesterday were read.

Agreeably to notice, Mr. Jones, of Grenville, seconded by Mr. Burwell, moves for leave to bring in a Bill to repeal the laws now in force granting Poundage to the Receiver General of this Province, and to provide a Salary for that officer in lieu thereof. Which was granted, and the Bill read.

Mr. Jones, of Grenville, seconded by Mr. Robinson, moves that the Receiver General Poundage Repeal Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Bill relative to the Sale of Lands was read the second time.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the House do now resolve itself into a Committee upon the Sale of Lands Bill. Which was carried, and Mr. Peterson took the Chair of the Committee.

The House resumed. Mr. Peterson reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House. Ordered, that the Report be received, and it was resolved: That the sale of Lands Bill be referred to a Select Committee.

Mr. Hagerman, seconded by Mr. McDonell, moves that Messrs. Attorney General, Jones, of Grenville, and Baldwin be a Select Committee, to take into consideration the Sale of Lands Bill and report thereon to this House. Which was carried.

Agreeably to notice, Mr. Hagerman, seconded by Mr. McDonell, moves that the House do now resolve itself into a Committee, to take into consideration that part of His Excellency's Speech relating to the Cultivation of Hemp and other Agricultural Products of this Province. Which was carried, and Mr. Horner took the Chair of the Committee.

The House resumed. Mr. Horner reported that the House had agreed to a Resolution, which he was directed to submit for the adoption of the House. Ordered, that the Report be received, and it was

Resolved, that it is expedient to appoint a Special Committee, to take into consideration the best means of encouraging the Growth of Hemp, Flax and Tobacco, and such other Agricultural Products of this Province as will find the most ready sale in the Mother Country and the British Colonies.

Mr. Hagerman, seconded by Mr. Attorney General, moves that Messrs. McDonell, Morris, Shaver, Jones, of Leeds, Crooks and Bostwick be a Committee, to report upon the matters stated in the foregoing resolution. Which was ordered.

Agreeably to notice, Dr. Baldwin introduced certain Resolutions, of which No. 1 was put.

On which the House divided, and the yeas and nays being taken, they were as follows.

Yeas: Messrs. Jones, (Leeds), Baldwin, Willson (Prince Edward), Crooks, Horner, Wilmot, Willson (Wentworth), Hamilton (Wentworth), Clark, Casey, Jones (Grenville), Ruttan, Walsh, Bidwell, Pattie, Rogers, Chisholm, White, Peterson, Gates, Randal, Shaver, Robinson.

Nays: Messrs. Hagerman, Attorney General, Bostwick, Burwell, Morris, McDonell.

The question was carried in the affirmative by a majority of seventeen, and the Resolution adopted as follows:—

Resolved, That an Act, passed in the Parliament of this Province, in the forty-fourth year of His late Majesty's Reign, intituled "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof," being an unusual and unconstitutional departure from the principles of our free Government, ought to be repealed.

The further debate on Dr. Baldwin's Resolutions was postponed till to-morrow at ten o'clock.

The house then adjourned till that hour.

Saturday, 1st December, 1821.

The House met: Prayers were read: The minutes of yesterday were read.

Petition No. 4 was read.

Mr. McLean, of Stormont, seconded by Mr. McMartin, moves that the Petition of the Inhabitants of the Third Concession of the Township of Osnabruck be referred to the Committee on Boundary Lines, to report thereon by Bill or otherwise. Which was ordered.

Dr. Baldwin, seconded by Mr. Ruttan, moves for leave to bring up the Petition of the Inhabitants of the Counties of Norfolk and Oxford, in the District of London, and also the Petition of several Millers in the Home District. Which was granted, and the Petitions brought up.

Mr. Robinson, seconded by Mr. Jones, of Grenville, moves for leave to bring up the Petition of Ferdinand Vansickler, of the Town of York. Which was granted, and the Petition brought up.

Mr. Willson, of Wentworth, seconded by Mr. Hamilton, of Wentworth, moves for leave to bring up the Petition of Margaret Rosseaux, of the District of Gore. Which was granted, and the Petition brought up.

Dr. Baldwin, seconded by Mr. Ruttan, moves that it be Resolved, that whatever might have been the circumstances which induced the Legislature at that day to enact this law, no such circumstances now exist; the Commons of this Province having always, and especially in the late arduous struggle in the American War, evinced the indisputable sincerity of that loyalty which they are always proud to profess. Which was lost.

Dr. Baldwin, seconded by Mr. Jones of Leeds, moves that it be Resolved that while High Treason, the crime most dangerous and detestable known to English Law, can be charged upon the accused only upon proof of overt act, by the judgment of his Peers, upon the inquest of a Grand Jury: this law makes the mere suspicion of the Magistrate, the measure of guilt in the accused, whose disobedience to the arbitrary order of the Magistrate constitutes a capital felony.

In amendment, Dr. Baldwin, seconded by Mr. Ruttan, moves that from the word "whose" in the original motion, the remainder be expunged, and the following words inserted, "Whose disobedience to that order in the course of proceeding under this law, subjects the accused to the consequence of capital felony." Which was carried.

The original question as amended was then put and carried.

Dr. Baldwin, seconded by Mr. Ruttan, moves that it be Resolved that the Commons of the Province, well knowing the ample sufficiency of the ordinary course of law for the security of the Province against all seditious attempts whatsoever, view with reluctance any obstacle presented to their reasonable wishes for a recurrence to that ordinary course, from whence no deviation can be justified, but by temporary law in times of danger and violence.

On which the House divided, and the yeas and nays being taken, were as follows:

Yeas: Messrs. Ruttan, Baldwin, Clark, Randal, Peterson, Horner, Wilmot, Willson (Wentworth), Kerr, Hamilton (Wentworth), McMartin, Bidwell, Rogers, Casey, White, Jones (Grenville), Attorney General, Walsh, Shaver, Hamilton (Lincoln), McLean (Stormont), McDonell.

Nays: Messrs. Burwell, Hagerman, Robinson, Jones (Leeds), Bostwick.

The question was decided in the negative by a majority of seventeen, and lost accordingly.

Dr. Baldwin, seconded by Mr. Ruttan, moves that it be resolved that the Commons of the Province can never lose sight of repealing this law, so destructive to the liberty of the subject.

On which the House divided, and the yeas and nays being taken, were as follows:

Yeas: Messrs. Ruttan, Robinson, Jones (Leeds), Baldwin, Clark, Randal, Horner, Wilmot, Willson (Wentworth), Jones (Grenville), Kerr, Hamilton, (Wentworth), Bidwell, Peterson, Rogers, White, Casey, Walsh, Shaver, Hamilton (Lincoln).

Nays: Messrs. Burwell, Hagerman, Bostwick, McMartin, Attorney General, McLean (Stormont), McDonell.

The question was carried in the affirmative by a majority of thirteen, and resolved accordingly.

Mr. Willson of Wentworth, seconded by Mr. Horner, moves that it be resolved that previous to the investigation of the Petition of Timothy Storing and others, the said Timothy Storing or some other responsible person or persons approved by this House do enter into a Bond of Two Hundred Pounds to the Clerk, conditioned for the payment of such costs as shall be awarded by this House, should they fail in supporting the grounds of their Petition. Which was ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. McLean of Stormont, moves for leave to bring in a Bill to amend an Act, passed in the thirty-seventh year of His late Majesty's Reign, for better regulating the practice of the law. Which was granted, and the Bill read.

Mr. Attorney General, seconded by Mr. McLean of Stormont, moves that the Law Society Bill be read a second time on Monday next. Which was ordered.

Agreeably to the order of the day, the Registry Amendment Bill was read the second time.

Mr. Hagerman, seconded by Mr. Hamilton of Lincoln, moves that the House do now resolve itself into a Committee, to take into consideration the Registry Amendment Bill. Which was carried, and Mr. Casey took the Chair of the Committee.

The House resumed. Mr. Casey reported progress, and obtained leave to sit again on Thursday next.

Agreeably to the order of the day, the Provincial Agent Repeal Bill was read the second time.

Mr. Jones of Grenville, seconded by Mr. Peterson, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Provincial Agent Repeal Bill. Which was carried, and Mr. Walsh took the Chair of the Committee.

The House resumed. Mr. Walsh reported progress, and obtained leave to sit again on Monday sennight. Ordered, that the Report be received, and leave was granted accordingly.

Agreeably to the order of the day, the Poundage Repeal Bill was read the second time.

Mr. Jones of Grenville, seconded by Mr. Robinson, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Receiver General's Poundage Repeal Bill. Which was carried, and Mr. Willson of Prince Edward took the Chair of the Committee.

The House resumed. Mr. Willson reported the Bill as amended. Ordered, that the Report be received.

Mr. Jones of Grenville, seconded by Mr. McDonell, moves that the Receiver

General's Poundage Bill be engrossed, and read a third time on Monday next. Which was ordered.

Mr. Burwell gives notice that he will, on Wednesday next, move for leave to bring in a Bill to continue and amend the laws now in force granting a Duty on Stills within this Province.

Dr. Baldwin gives notice that he will, on Thursday next, move for leave to bring in a Bill for the more effectual improvement of the Highways and Roads throughout this Province.

The House then adjourned till one o'clock, p.m. on Monday next.

Monday, 3rd December, 1821.

The House met. Prayers were read. The minutes of Saturday were read.

Agreeably to the order of the day, the Receiver General's Poundage Repeal Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. Robinson, moves that the Bill do now pass, and that it be intituled "An Act to repeal the laws now in force granting Poundage to the Receiver General of this Province, and to provide a Salary for that officer in lieu of such Poundage." Which was carried, and the Bill signed.

Mr. Jones of Grenville, seconded by Mr. Robinson, moves that Messrs. VanKoughnet and Bostwick be a Committee to carry up to the Honorable the Legislative Council the Receiver General's Poundage Repeal Bill, and request their concurrence thereto. Which was ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. McDonell, moves that the House do now resolve itself into a Committee, to take into consideration the Financial concerns of this Province with the Province of Lower Canada. Which was carried, and Mr. McLean of Stormont took the Chair of the Committee.

The House resumed. Mr. McLean reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House, and asked leave to sit again on Wednesday next. Ordered, that the Report be received, and leave was granted, and it was.

Resolved, that an humble Address be presented to His Excellency, the Lieutenant Governor, requesting information whether any communication has been had by the Executive Government of this Province with that of Lower Canada, by which any prospect is afforded of obtaining, through the order of the Executive Government of Lower Canada, the arrearages due to this Province on account of duties received at Quebec before the conclusion of the last Provisional Agreement.

Mr. Attorney General, seconded by Mr. McDonell, moves that Messrs. McLean of Stormont, and Gates be a Committee to prepare an Address to His Excellency, the Lieutenant Governor, in pursuance of the foregoing Resolution. Which was ordered.

Mr. McLean of Stormont, first named of the Committee to draft an Address to the Lieutenant Governor, reported the same. Ordered, that the Report be received, and the Draft was read the first time.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Address to His Excellency, the Lieutenant Governor, on the subject of arrearages due from Lower Canada, be read a second time this day, and that the Fifth Rule of this House be dispensed with as far as respects the said Address. Which was carried, and the Draft was read the second time.

Mr. Attorney General, seconded by Mr. McDonell, moves that the House do now resolve itself into a Committee upon the Address to His Excellency, the

Lieutenant Governor, on the subject of Arrearages due from Lower Canada. Which was carried, and Mr. Ruttan took the Chair of the Committee.

The House resumed. Mr. Ruttan reported the Address without amendment. Ordered, that the Report be received.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Address to His Excellency, the Lieutenant Governor, on the subject of Arrearages due from Lower Canada, be engrossed and read a third time this day. Which was ordered.

Agreeably to the order of the day, the Sedition Law Repeal Bill was read the second time.

Mr. Jones of Grenville, seconded by Mr. Robinson, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Sedition Law Repeal Bill. Which was carried, and Mr. Morris took the Chair of the Committee.

The House resumed. Mr. Morris reported the Bill as amended. Ordered, that the Report be received.

Mr. Jones of Grenville, seconded by Mr. Robinson, moves that the Sedition Law Repeal Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee of the Whole on the Lieutenant Governor's Message relating to the Civil List. Mr. White was called to the Chair of the Committee.

The House resumed. Mr. White reported that the Committee had agreed to certain Resolutions, which he was directed to submit for the adoption of the House.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Bostwick, Burwell, Ruttan, Robinson, Jones (Grenville), Jones (Leeds), Baldwin, Pattie, Willson (Wentworth), Willson (Prince Edward), Randal, Wilmot, Casey, Walsh, Hamilton (Wentworth), Kerr, Horner, Gates, Bidwell, White, Rogers, Peterson, Clark, McLean (Stormont), VanKoughnet, Shaver, Hamilton (Lincoln), McDonell.

Nays: Attorney General, Hagerman.

The question was carried in the affirmative by a majority of twenty-seven, the Report received, and it was

Resolved, that it is the opinion of this House that in the embarrassed state of the Revenues of the Province, it is expedient and necessary to repeal an Act, passed in the fifty-sixth year of His late Majesty's Reign, intituled "An Act for granting to His Majesty a sum of money towards defraying the expenses of the Civil Administration of the Government of this Province."

Whereas it appears by the answer of His Excellency the Lieutenant Governor to an Address of the House of Assembly during the last Session of the present Parliament, that the following annual Pensions or allowances are chargeable against the fund created by the said Act, namely, to the Honorable Thomas Scott, late Chief Justice, Eight Hundred Pounds Sterling; to the Honorable John McGill, late Receiver General, Four Hundred and Fifty Pounds Sterling, and to the Speaker of the Honorable the Legislative Council, Four Hundred Pounds Currency.

Resolved, that in repealing the said Act, it is expedient and necessary to provide for the payment of the said several allowances or pensions.

Resolved, that a Committee be appointed to draft a Bill pursuant to the foregoing Resolutions.

Mr. Jones of Grenville, seconded by Mr. Robinson, moves that Messrs. Van-

Koughnet and Morris be a Committee to draft a Bill pursuant to the Resolutions of this House. Which was ordered.

Agreeably to order, the Address to His Excellency, the Lieutenant Governor, relative to communication with the Lower Province, was read the third time, passed, and signed by the Speaker, as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada and Major General commanding His Majesty's Forces therein, etc. May it please Your Excellency:

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament Assembled, humbly request that Your Excellency will be pleased to inform the House of Assembly whether any communication has been had by the Government of this Province with that of Lower Canada, by which a prospect is afforded of obtaining, through the order of the Executive Government of Lower Canada, the arrearages due to this Province on account of Duties received at Quebec before the conclusion of the last Provincial Agreement.

Commons House of Assembly,

Monday, 3rd Decr., 1821. (Signed) L. P. SHERWOOD, Speaker.

Mr. Attorney General, seconded by Mr. McDonell, moves that Messrs. Burwell and Hamilton of Wentworth be a Committee, to wait upon His Excellency the Lieutenant Governor, to know when he will be pleased to receive the Address of this House requesting information on the subject of Arrearages due from Lower Canada, and to present the same. Which was ordered.

Mr. VanKoughnet, of the Committee to draft a Bill, pursuant to the Resolutions of this day, relative to the repeal of the Civil List Act, reported a draft, which was received and read the first time.

Mr. Jones of Grenville, seconded by Mr. Robinson, moves that the Bill to repeal the Act, passed in the fifty-sixth year of His late Majesty's Reign, chapter twenty-sixth, be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Law Society Bill was read the second time.

Mr. Attorney General, seconded by Mr. McLean of Stormont, moves that the House do now resolve itself into a Committee upon the Law Society Bill. Which was carried, and Mr. Hamilton of Wentworth took the Chair of the Committee.

The House resumed. Mr. Hamilton reported the Bill as amended.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Grenville), Bostwick, Burwell, Ruttan, Robinson, Baldwin, Pattie, Wilmot, Willson (Prince Edward), Kerr, Bidwell, Rogers, Attorney General, McLean (Stormont), VanKoughnet, Gates, Shaver, Hagerman, Hamilton (Lincoln), McDonell.

Nays: Messrs. Jones (Leeds), Willson (Wentworth), Randal, Clark, Hamilton (Wentworth), White, Morris, Casey, Peterson.

The question was carried in the affirmative by a majority of eleven, and the Report received accordingly.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the Law Society Bill be engrossed, and read a third time to-morrow. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 4th December, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Sedition Law Repeal Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. Jones of Leeds, moves that the Sedition Law Repeal Bill do now pass, and that it be intituled "An Act to repeal an Act, passed in the forty-fourth year of His late Majesty's Reign, intituled An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof."

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Robinson, Jones (Grenville), Jones (Leeds), Chisholm, Baldwin, Kerr, Horner, VanKoughnet, Wilmot, Willson (Prince Edward), Randal, Willson (Wentworth), Casey, Hamilton (Wentworth), White, Ruttan, Rogers, Bidwell, Peterson, Walsh, McLean (Stormont), Shaver, Hamilton (Lincoln), Gates.

Nays: Messrs. Burwell, Attorney General, Morris, Hagerman, McDonell.

The question was carried in the affirmative by a majority of nineteen, and the Bill was signed.

Mr. Jones of Grenville, seconded by Mr. Gates, moves that Messrs. Jones of Leeds and Robinson be a Committee, to carry up to the Honorable the Legislative Council the Sedition Law Repeal Bill, and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Law Society Bill was read the third time.

Mr. Attorney General, seconded by Mr. McLean of Stormont, moves that the Bill do now pass, and that the title thereof be "An Act to repeal part of and amend an Act, passed in the thirty-seventh year of His late Majesty's Reign. entituled An Act for the better regulating the practice of the Law, and to extend the provisions of the same."

In amendment, Mr. Jones of Leeds, seconded by Mr. Horner, moves that the following be added as a Rider.

"That from and after the passing of this Act it shall not be lawful for the Law Society to exact more than £———— for the admission of any Student to its Society, and not more than £———— for the admission of any Student properly qualified to the practice of the law, any Law or Regulations to the contrary notwithstanding."

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Horner, Willson (Prince Edward), Willson (Wentworth), Randall, Hamilton (Wentworth), White, Pattie, Casey.

Nays: Messrs. Robinson, Burwell, Jones (Grenville), Chisholm, Baldwin, Attorney General, Kerr, Bostwick, Willmot, VanKoughnet, Ruttan, Bidwell, McLean (Stormont), Morris, Rogers, Peterson, Walsh, Shaver, Hagerman, Hamilton (Lincoln), Gates, McDonell.

The question was carried in the negative by a majority of thirteen, and lost accordingly.

Mr. Hamilton, of Wentworth, seconded by Mr. VanKoughnet, moves that the Bill be now recommitted. Which was carried, and Mr. Hamilton of Wentworth took the Chair of the Committee.

The House resumed. Mr. Hamilton reported the Bill without amendment. Ordered, that the Report be received.

Mr. Burwell, of the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House, relative to communication with the Executive Government of the Lower Province, reported that they had delivered the same, and that His Excellency was pleased to make thereto the following reply:

Gentlemen of the House of Assembly:

I think it right to inform you that on the joint Address of the Legislative Council and House of Assembly to His present Majesty, then Prince Regent, of the United Kingdom, praying for the interference of the Imperial Parliament on the matter of the Revenue of this Province derived from imports at the Port of Quebec, being transmitted to His Majesty's Principal Secretary of State for the Colonies, His Lordship was pleased to inform the Provincial Government that such explanations on the subject had been afforded by the Government of Lower Canada as appeared to Their Lordships, the Committee of His Majesty's Privy Council, for matters relating to Trade and the Plantations, to preclude the necessity of bringing the subject before Parliament.

I have also to acquaint you that a copy of the accompanying statement of arrearages due to this Province, accruing previous to the formation of the last Provisional Agreement, was brought under the consideration of the late Governor-in-chief at His Grace's visit to this Province, in September, 1818, which was followed by the payment of a sum of £5,397. 16. 0, Currency. Subsequent application for the payment of all revenue due to this Province has been made to the Government of Lower Canada. I have, however, no reason to expect that any such arrangement will take place without the interference of His Majesty's Government.

Government House, December, 1821.

Statement of arrearages due to this Province, accruing previous to the formation of the last Provisional Agreement.

A Duty on Port Wine upon the consumption in Upper Canada, established by approximation on an average of three years	£587	12	0
On Duties collected at Quebec under the 53rd Geo. 3rd chap. 1st, and not accounted for to Upper Canada in the year 1813, on articles ascertained to have passed Coteau du Lac	5,177	15	4½
Merchandise on which 5 per cent. advalorem duty was paid, estimated at £10,000	500	0	0
Merchandise on which 2½ per cent. advalorem duty was paid, estimated at £50,000	1,250	0	0
Merchandise purchased by different Government Departments in Lower Canada, and sent to Upper Canada, estimated at £200,000	5,000	0	0
One-fifth of the duties collected under 14th Geo. 3rd, at Quebec for 1816, estimated in gross at £14,600	2,920	0	0
	£15,435	7	4½

Mr. Attorney General, seconded by Mr. McLean, of Stormont, moves that the Law Society Bill be engrossed, and read a third time this day, and that the Fifth Rule of this House be dispensed with as far as respects the said Bill.

Which was ordered, and agreeably to the order of the day the Law Society Bill was read the third time.

Mr. Attorney General, seconded by Mr. McLean, of Stormont, moves that the Bill do now pass, and that the title thereof be "An Act to repeal part of and amend an Act, passed in the thirty-seventh year of His late Majesty's Reign, intituled An Act for the better regulating the practice of the Law, and to extend the provisions of the same."

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Bostwick, Jones (Grenville), Robinson, Burwell, Baldwin, Attorney General, Wilmot, Morris, VanKoughnet, McMartin, Bidwell, Pattie, Hamilton (Lincoln), McLean (Stormont), Hagerman, Shaver, Gates, McDonell, Kerr.

Nays: Messrs. Jones (Leeds), Randal, Chisholm, Peterson, Willson (P. Edward), Horner, Clark, Hamilton (Wentworth), Casey, White, Willson (Wentworth), Walsh.

The question was carried in the affirmative by a majority of seven, and the Bill was signed.

Mr. Attorney General, seconded by Mr. Hagerman, moves that Messrs. McLean (of Stormont) and Shaver be a Committee to carry up to the Honorable the Legislative Council the Law Society Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petitions from Norfolk and Oxford (praying that the County of Middlesex may not be divided), from the Millers (praying for an increase of toll), from Ferdinand Vansickler (praying for the establishment of a second Market House, or other relief in the premises), and from Margaret Rosseaux (praying for relief as the widow of an Officer who died while on service during the late war with the United States of America), were read.

Dr. Baldwin, seconded by Mr. Randal, moves that the Millers Petition be referred to a Committee, to consider and report thereon—that Messrs. Gates, White and Rogers be the Committee for that purpose, and that they have leave to report thereon by Bill or otherwise. Which was ordered.

Mr. Robinson, seconded by Mr. Jones, of Grenville, moves that the Petition of Ferdinand Vansickler, of the Town of York, be referred to a select Committee, and that the same be composed of Messrs. Wilmot, Burwell and Kerr, with power to send for persons and papers, and to report by Bill or otherwise. Which was ordered.

Dr. Baldwin, seconded by Mr. Horner, moves that the Petition of the several Inhabitants of the Counties of Norfolk and Oxford be referred to the same Committee, to whom may be referred the Petition of the Inhabitants of the County of Middlesex. Which was ordered.

Mr. Casey, seconded by Mr. Shaver, moves for leave to bring up the Petition of the Methodist Episcopal Church and their friends within this Province. Which was granted, and the Petition brought up.

Dr. Baldwin, seconded by Mr. Randal, moves for leave to bring up the Petition of John Henry. Which was granted, and the Petition brought up.

Mr. Jones, of Leeds, of the Committee to carry to the Honorable the Legislative Council the Bill to Repeal the Sedition Act, and request their concurrence thereto, reported they had done so.

Mr. VanKoughnet, of the Committee to carry up to the Honorable the Legislative Council the Receiver General's Poundage Repeal Bill, and request their concurrence thereto, reported they had done so.

Mr. McLean, of Stormont, of the Committee to carry up to the Honorable the Legislative Council the Law Society Bill, and request their concurrence thereto, reported they had done so.

Mr. Jones, of Grenville, seconded by Mr. Gates, moves for leave to bring up the Petition of the Methodist Episcopal Society, residing on the River Rideau, in the County of Grenville. Which was granted, and the Petition brought up.

Mr. Willson, of Wentworth, seconded by Mr. Casey, moves that the Petition of Margaret Rosseaux, of the District of Gore, be referred to a Select Committee, and that Messrs. Hamilton, of Wentworth, and Crooks do compose the said Committee. Which was carried.

Agreeably to notice, Mr. Hamilton, of Lincoln, seconded by Mr. Gates, moves for leave to bring in a Bill to assign certain limits to Gaols within this Province. Which was granted, and the Bill read.

Mr. Hamilton, of Lincoln, seconded by Mr. Gates, moves that the Bill for extending limits to the Gaols within this Province be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Physic and Surgery Bill was read the second time.

Mr. Casey, seconded by Mr. Shaver, moves that this House do now resolve itself into a Committee of the Whole, to take into consideration the Physic and Surgery Bill. Which was carried, and Mr. Wilmot took the Chair of the Committee.

The House resumed. Mr. Wilmot reported progress, and asked leave to sit again on Monday next. Which was granted.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 5th December, 1821.

The House met. Prayers were read.

Agreeably to notice, Mr. Burwell, seconded by Mr. Bostwick, moves that this House do now resolve itself into a Committee of the Whole, to take into consideration the Petition of the Inhabitants of the County of Middlesex. Which was carried, and Mr. McMartin took the Chair of the Committee.

The House resumed, and Mr. McMartin reported progress, and obtained leave to sit again on Wednesday next.

Agreeably to notice, Mr. Morris, seconded by Mr. Hagerman, moves for leave to bring in a Bill to amend the Revenue Laws of this Province. Which was granted, and the Bill read.

Mr. Morris, seconded by Mr. Ruttan, moves that the Bill to amend the Revenue Laws of this Province be read a second time to-morrow. Which was ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. Shaver, moves for leave to bring in a Bill to amend the laws relating to the appointment of Registrars within this Province, which was granted and the Bill read.

Mr. Morris, seconded by Mr. Gates, moves that the Bill relating to the appointment of Registers within this Province be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Bill for regulating the laying out of Highways in this Province, Mr. Morris in the Chair.

The House resumed. Mr. Morris reported the Bill as amended. Ordered, that the Report be received.

Mr. Crooks, seconded by Mr. Shaver, moves that the Bill to extend and amend the provisions of the laws now in force, for laying out, amending and keeping in repair the Highways and roads in this Province, be engrossed, and read a third time to-morrow. Which was ordered.

The House then adjourned till to-morrow at ten o'clock.

Thursday, 6th December, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Bill for regulating the laying out the Highways and Roads in this Province was read the third time.

Mr. McLean, of Stormont, seconded by Mr. Crooks, moves that the Road Bill be now recommitted. Which was carried, and Mr. Gates took the Chair of the Committee.

The House resumed. Mr. Gates reported the Bill as amended.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Attorney General, Bostwick, Hagerman, Burwell, Chisholm, Robinson, Pattie, Randal, Horner, Walsh, Wilmot, Clark, White, Hamilton (Wentworth), Peterson, Casey, VanKoughnet, Morris, Ruttan, Kerr, Willson (Prince Edward), Jones, (Grenville), Bidwell, Shaver, Crooks, McDonell, Willson (Wentworth).

Nays: Messrs. Jones (Leeds), McMartin, McLean (Stormont), Gates.

The question was carried in the affirmative by a majority of twenty-three, and the report was received accordingly.

Mr. Crooks, seconded by Mr. Shaver, moves that the Road Amendment Bill be engrossed, and read a third time this day, and that the Fifth Rule of the House be dispensed with as far as relates to the same. Which was ordered.

Agreeably to order, the Petition from Lenox and Addington (praying that Resolutions may be passed, by which the privilege of solemnizing matrimony may not be withheld from ordained Ministers in the Methodist Connexion): the Petition from John Henry of Pickering (praying for remuneration for repairing the Highways at the River Rouge), and the Petition from Wolford (on the same subject as recited from Lenox and Addington) were read.

Mr. Morris, seconded by Mr. Ruttan, moves for leave to bring up the Petition of Sundry Inhabitants of the County of Carlton. Which was granted, and the Petition brought up.

Mr. Jones, of Leeds, seconded by Mr. Burwell, moves for leave to bring up the Petition of the Chairman of the Sessions and sundry Magistrates of the District of Johnstown. Which was granted, and the Petition brought up.

Mr. Ruttan, seconded by Mr. Peterson, moves for leave to bring up the Petition of John White of the Township of Haldimand, in the Newcastle District. Which was granted, and the Petition brought up.

Mr. Walsh, seconded by Mr. Horner, moves for leave to bring up the Petition of the Inhabitants of the District of London. Which was granted, and the Petition brought up.

Mr. Willson, of Wentworth, seconded by Mr. Clark, moves for leave to bring up three Petitions of the Episcopal Methodists in this Province. Which was granted, and the Petitions brought up.

Mr. Willson, of Prince Edward, seconded by Mr. Peterson, moves for leave to bring up the Petitions of the Methodist Episcopal Church and their friends within this Province. Which was granted, and the Petition brought up.

Dr. Baldwin, seconded by Mr. Chisholm, moves that the Petition of John Henry be referred to Messrs. Ruttan, Rogers and Wilmot, to report thereon. Which was ordered.

Mr. Casey, seconded by Mr. Willson, of Prince Edward, moves that Messrs. Willson of Wentworth, Bidwell, and Hamilton, of Wentworth be a Special Committee, to take into consideration the Petition of the Methodist Episcopal Church and their friends within this Province, and report by Bill or otherwise.

On which the House divided, and the years and nays being taken were as follows:

Yeas: Messrs. Chisholm, Pattie, Randal, Walsh, Horner, Clark, Wilmot, Willson (Wentworth), White, Hamilton (Wentworth), Ruttan, Gates, Casey, VanKoughnet, Kerr, Peterson, Crooks, Willson (Prince Edward), Jones (Grenville), Bidwell, Shaver.

Nays: Messrs. Attorney General, Hagerman, Bostwick, Burwell, Jones (Leeds), Baldwin, McMartin, Morris, Robinson, McDonell, McLean (Stormont).

The question was carried in the affirmative by a majority of ten, and ordered accordingly.

Agreeably to the order of the day, the House went into Committee on the Financial Arrangement with Lower Canada, Mr. Chisholm in the Chair of the Committee.

The House resumed to receive a Message from His Excellency, the Lieutenant Governor.

Mr. Secretary Hillier brought down from His Excellency, the Lieutenant Governor two Messages, and having withdrawn, the Speaker read the same as follows:

P. Maitland.

The Lieutenant Governor thinks it right to inform the Commons House of Assembly that the situation of Provincial Agent has become vacant, by the death of William Halton, Esquire, and that the Lieutenant Governor will not fill the vacancy unless specially applied to for that purpose by the joint Address of the two Branches of the Legislature.

Government House, 6th December, 1821.

P. Maitland.

The Lieutenant Governor acquaints the House of Assembly that, by despatches which have just been received from His Majesty's Principal Secretary of State for the Colonies, it appears that the Address of the House of Assembly to His Majesty, praying that Corn and Flour may be admitted into Great Britain for home consumption subject only to the payment of duty when the price is less than the average fixed by law, and further praying that the restriction duties on Foreign Timber may be continued—have been referred to the consideration of the Lords of the Committee of the Privy Council for Trade; and a communication, of which the Lieutenant Governor now transmits an extract, on that important subject to the House of Assembly, had been addressed to the Colonial Office by their Lordships' command.

Government House, 6th December, 1821.

Extract of a letter addressed to Henry Goulburn, Esquire, Under Secretary of State for the Colonies, by command of the Lords of Committee of the Privy Council for Trade, dated 11th August, 1821.

"With respect to the question relative to the importation of Corn and Flour into this Country from Canada, the Lords of this Committee can only say that they are not insensible to the inconveniences to which the Corn Trade of Canada may occasionally be exposed by the operations of the present Corn Law, but that it is necessarily very uncertain how far Parliament may be disposed to make any alteration upon a subject of so much importance and of so delicate a nature as that which relates to the Corn Trade of this Country.

"Upon the question of the Timber Duties, the Lords of this Committee flatter themselves that the change which has been made in these Duties in the last Session of Parliament will not be attended with any great injury to the interests of the British North American Possessions."

The House went again into Committee, Mr. Chisholm in the Chair.

The House resumed. Mr. Chisholm reported that the Committee had agreed to several Resolutions, which he was directed to submit for the adoption of the House.

On the question for receiving the report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Bostwick, Robinson, Hagerman, Gates, Kerr, Pattie, Randal, Willson (Wentworth), Chisholm, Wilmot, Clark, White, Hamilton (Wentworth), VanKoughnet, McDonell, Attorney General, Shaver, Bidwell, Morris, Casey, Ruttan, McMartin, Jones (Grenville), Rogers, Jones (Leeds), McLean (Stormont), Peterson, Burwell, Willson (Prince Edward), Crooks, Horner, Walsh.

Nays: Mr. Baldwin.

The question was carried in the affirmative by a majority of thirty-one, the Report received, and the Resolutions adopted as follows:

Resolved, That upon examination of the Report of the Commissioners appointed on the part of this Province to treat with those of Lower Canada, respecting the establishing of such regulations as may regard the collection of duties on payment of drawbacks to be imposed on goods passing from one Province into the other respectively, and of and concerning any proportions of drawbacks to be received and paid of any equal duties already imposed, or hereafter to be imposed by the said Legislature respectively, or any article or commodity passing from one Province into the other, and of and concerning any regulations, provisions, matters and things which may regard the Commerce, Manufactures or Produce of the said Province.

It is the opinion of this House, considering the principles assumed and the obstacles presented by the Commissioners on the part of the Province of Lower Canada at the late meeting, that any further effort to adjust by amicable arrangement between the Commissioners the amount of arrearages due to this Province, or to establish an agreement for the future, would be certainly fruitless, and that to attempt it would only lead to farther disappointment and delay, without any prospect of a beneficial result.

Resolved, that it appears clearly to this House that large arrearages on account of duties received at the British Port of Quebec, before the year One thousand eight hundred and seventeen, are due to this Province from Lower Canada, under the express terms of Provisional Agreement, ratified by the Legislature of both Provinces, which arrearages the Commissioners of Lower Canada peremptorily decline entering into, the consideration of alleging that the execution of agreements when concluded is properly the province of the Executive Government.

Resolved, that it appears to the House that applications for the payment of these arrearages have been made to the Executive Government of Lower Canada by the Government of this Province, which have afforded no prospect of a final adjustment.

Resolved, that it is the opinion of this House that the means by which alone the Commissioners of Lower Canada would consent to ascertain the amount of drawbacks due to this Province upon Goods imported from Lower Canada since the expiration of the last Provisional Agreement, were not such as it was practicable to adopt, or as could possibly lead to a just and satisfactory result; and that the insisting upon such means, after a lapse of two years, during which Upper Canada had been solely, by the omission of the necessary provision on the part of the Lower Province, deprived of the opportunity of renewing their agreement, and during which it was known no means had been taken to ascertain the amount of the debt thus suffered to accrue, manifested no desire to repair the inconvenience this Province had thus been compelled to sustain or to encourage confidence in the future consideration of our Sister Province.

Resolved, that the express and decided refusal of the Commissioners of Lower Canada to enter into any agreement for any period beyond the close of the next Session of their Legislature which should not have for its basis the sole collection of its own revenue by both Provinces respectively, leaves only to Upper Canada the adoption of a measure which the bare inspection of the Boundary, by which it is separated from Lower Canada, shows to be impracticable, and which, by an experiment continued for many years to the manifest and great lose of Upper Canada, has been proved so to the conviction of both Provinces.

Resolved, that while the whole revenue due to this Province, for its proportion of duties received at the Port of Quebec for the last two years, together with large unliquidated arrearages of an older date, are detained in the Treasury of Lower Canada, the Executive Government is embarrassed, the public Creditors are delayed, all means of advancing works of general utility withheld, and it has at last become necessary to borrow on the credit of the Province a sum, which the receipt of this revenue only can enable it to redeem, in order to pay the pensions which Upper Canada has generously extended out of its limited means to those who were wounded in maintaining the cause of the Empire in a National War.

Resolved, that it is the opinion of this House that the Province, having looked for two years in vain for an opportunity of attempting an amicable arrangement, and having at last thus completely failed in this attempt, has no longer any alternative but to surrender all her just claims for the past, and to continue for the future in a state of dependence on the Legislature of another Colony, which was never either expedient or just, but which had been patiently borne, while a spirit of accommodation sustained mutual confidence, and until the Commissioners of Lower Canada openly made that confidence a matter of reproach; or to address ourselves to our Gracious Sovereign, most humbly and earnestly entreating his Royal Recommendation to His Imperial Parliament to exercise its undoubted right to control all imports and exports in and from the British Port of Quebec, and to establish such regulations respecting the Commercial intercourse between the two Provinces as may comport with the just rights and interests of both.

Mr. Attorney General gives notice that he will to-morrow move that a copy of the foregoing Resolutions be transmitted to the Honorable the Legislative Council.

Agreeably to order, the Bill for regulating the laying out of Highways and Roads in this Province was read the third time.

Mr. Crooks, seconded by Mr. Shaver, moves that the Bill do now pass, and

that it be intituled "An Act to repeal part of and to amend an Act, passed in the fiftieth year of His late Majesty's Reign, intituled An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose, and also to extend the provisions of the said Act; and also an Act, passed in the fifty-ninth year of His Majesty's Reign, intituled An Act to repeal part of and amend the laws now in force for laying out, amending and keeping in repair the Public Highways and Roads in this Province." Which was carried, and the Bill signed.

Mr. Hagerman, seconded by Mr. Kerr, moves that Messrs. Crooks and Shaver be a Committee, to carry up to the Honorable the Legislative Council the Bill for regulating the laying out of Highways and Roads in this Province, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Civil List Repeal Bill was read the second time.

Mr. Jones of Grenville, seconded by Mr. Robinson, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Bill to repeal the Act, passed in the fifty-sixth year of His Majesty's Reign, chapter twenty-sixth. Which was carried, and Mr. Willson of Wentworth took the Chair of the Committee.

The House resumed, Mr. Willson reported the Bill as amended.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Robinson, Bostwick, Burwell, Baldwin, Pattie, Randal, Clark, Chisholm, Wilmot, Willson (Wentworth), Hamilton (Wentworth), Horner, Kerr, Casey, VanKoughnet, Jones (Grenville), Morris, Bidwell, Shaver, Ruttan, Rogers, McLean (Stormont), Hamilton (Lincoln), McMartin, Jones (Leeds), Crooks, Peterson, Walsh, Gates, Willson (Prince Edwd.).

Nays: Messrs. Hagerman, McDonell.

The question was carried in the affirmative by a majority of twenty-eight, and the report received accordingly.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that the Bill to repeal an Act, passed in the fifty-sixth year of His Majesty's Reign, chapter twenty-sixth, be engrossed, and read a third time on to-morrow. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Friday, 7th December, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Civil List Repeal Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. Jones of Leeds, moves that the Bill do now pass, and that it be intituled "An Act to repeal an Act, passed in the fifty-sixth year of His late Majesty's Reign, intituled An Act for granting to His Majesty a sum of money towards defraying the expenses of the Civil Administration of the Government of this Province, and to grant a sum of money for the purposes therein mentioned." Which was carried, and the Bill was signed.

Mr. Jones of Grenville, seconded by Mr. Jones of Leeds, moves that Messrs. VanKoughnet and Wilmot be a Committee to carry up to the Honorable the Legislative Council the Civil List Repeal Bill, and request their concurrence thereto. Which was ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that it be resolved that a Message be sent to the Honorable the Legislative Council, to acquaint them that this House have come to several Resolutions respecting the Financial Concerns of the Province with Lower Canada, in which they request the concurrence of that Honorable House, and to invite the Honorable the Legislative Council to join with this House in forming a Select Committee of both Houses, to consider and report upon the subject matter of the said Resolutions, and that a copy of the said Resolutions be transmitted to that Honorable House, and that Messrs. McDonell and McMartin be ordered to carry up the same. Which was carried.

Mr. Jones of Leeds gave notice that he will, on to-morrow, move that it be resolved that the Clerk of this House be directed to cause to be made out in Alphabetical Order plain and correct indexes of the matters contained in each volume of the Journals of this House from the year One thousand eight hundred and sixteen to the present year, both years inclusive, and annex the same to the respective volumes to which they relate, and that a similar index be annexed to each and every volume of the Journals of any subsequent Session; and that the Clerk be also directed to include the expenses incurred for the same in the Contingent Account.

Mr. Jones of Leeds gives notice that he will, on Thursday next, move that it is the opinion of this House that it be Resolved that an Humble Address be presented to His Excellency, the Lieutenant Governor, praying that His Excellency will be pleased to direct the proper officers to lay before this House at an early day the next Session of Parliament a detailed statement of all moneys in arrear, due and payable, from and after the first day of January, one thousand eight hundred and twelve, into the hands of the Receiver General of this Province, to and for the uses thereof, such arrearages being in the hands of any Collectors, Inspectors, Sheriffs, Officers commanding Regiments, or in the hands of any person or persons, in office or not in office, and that His Excellency will be pleased in the meantime to order such coercive measures to be adopted for the recovery of such sums in arrears as may be practicable and advisable. And also that His Excellency will be further pleased to direct the proper officer to demand from all persons whatsoever who may have been intrusted with Public moneys, and who have not already accounted for the same, to send in detailed accounts and vouchers, properly attested, showing the manner in which the moneys so intrusted to them have been expended; and that copies of such detailed accounts be also laid before this House, at an early day of next session, for its inspection.

Mr. Bidwell gives notice that on Monday next he will move for leave to bring in a Bill for the Relief of Religious Societies.

Mr. Bidwell gives notice that he will on Tuesday next move for leave to bring in a Bill to regulate the descent and distribution of Intestate Estates.

The House then adjourned till ten o'clock to-morrow.

Saturday, 8th December, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to order, the Petition from the Inhabitants of the County of Carlton, praying for a Market to be by law established in the Town of Perth; The Petition from the Magistrates, of the District of Johnstown, praying that a law may be passed empowering them, the said Magistrates, to levy an additional halfpenny on the pound on all ratable property in the said District, in order that they may be

enabled to repair the Gaol, build Bridges, &c.; The Petition from John White, praying that his case may be taken into consideration; The Petition from the Inhabitants of the District of London, praying that the Road Bill moved during the last session of parliament may not pass; and Petitions Numbers seventeen, eighteen, nineteen and twenty, from the Methodist Episcipal Church and their friends in this Province, praying that the privilege of Solemnizing Marriage may not be withheld from the Ordained Ministers of that Church, were read.

Mr. Ruttan, seconded by Mr. Kerr, moves that the Petition of John White of the Township of Haldimand, in the District of Newcastle, be referred to a Special Committee, and that Messrs. Baldwin, McDonell and Morris compose the said Committee, with power to send for persons and papers. Which was ordered.

Mr. Jones of Leeds, seconded by Mr. McLean of Stormont, moves that the Petition of the Chairman of the Sessions and sundry Justices of the Peace, of the District of Johnstown, be referred to the Committee on the Administration of Justice, and that they report by Bill or otherwise. Which was ordered.

Mr. Morris gives notice that he will on Monday next move for leave to bring in a Bill to establish a Market in the Town of Perth in the County of Carleton, agreeably to the prayer of the Petition from that County.

Mr. McDonell, from the Committee to carry up to the Honorable the Legislative Council a copy of the Resolutions which passed this House, respecting Financial Arrangements between this Province and Lower Canada, reported they had done so.

Agreeably to notice, Mr. Burwell, seconded by Mr. Jones of Grenville, moves for leave to bring in a Bill to continue and amend an Act, passed in the fifty-ninth year of His late Majesty's Reign, intituled "An Act granting to His Majesty an additional Duty on Stills used for the distillation of Spirituous Liquors for sale, and for ascertaining the manner in which certain Wooden Stills shall be gauged in this Province." Which was granted, and the Bill read.

Mr. Burwell, seconded by Mr. Hamilton of Lincoln, moves that the Bill to continue and amend the Laws now in force respecting the granting of Still Licenses be read a second time on Tuesday next. Which was ordered.

Agreeably to the order of the day, the Gaol Limits Bill was read the second time.

Mr. Hamilton of Lincoln, seconded by Mr. McMartin, moves that the House do now go into a Committee of the Whole on the Bill to assign Limits to Gaols within this Province. Which was carried, and Mr. Pattie took the Chair of the Committee.

The House resumed, the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message and having withdrawn the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have concurred in the Resolutions transmitted to them by the Commons House of Assembly this day, and have appointed a Special Committee of three members who will be ready to meet the Committee of the Commons House of Assembly for the purpose of considering and reporting upon the subject matter of the said Resolutions, in the Joint Committee Room, at Three o'clock, p.m., to-morrow.

Legislative Council Chamber,
7th December, 1821. WM. DUMMER POWELL, Speaker.

Mr. McMartin, seconded by Mr. VanKoughnet, moves that Messrs. Attorney General, McLean of Stormont, Jones of Grenville, McDonell, Burwell and Hamilton of Lincoln be a Select Committee to meet the Special Committee of the Honorable the Legislative Council, to take into consideration and to report upon the subject matter of certain Resolutions respecting the Financial Concerns of this Province with Lower Canada. Which was ordered.

The House went again into Committee on the Gaol Limits Bill, Mr. Pattie in the Chair. The House resumed. Mr. Pattie reported progress and asked leave to sit again on Wednesday next. Ordered, that the Report be received, and leave was granted accordingly.

Agreeably to the order of the day, the House went again into Committee on the Registry Bill, Mr. Casey in the Chair. The House resumed. Mr. Casey reported progress, and obtained leave to sit again on Thursday next.

Agreeably to notice, Dr. Baldwin, seconded by Mr. Chisholm, moves for leave to bring in a Bill for the more effectual improvement of the Highways and Roads throughout this Province. Which was granted, and the Bill read.

Dr. Baldwin, seconded by Mr. Chisholm, moves that the Bill for the more effectual improvement of the Highways be read a second time on Wednesday next. Which was ordered.

Agreeably to the order of the day, the Revenue Bill was read the second time.

Mr. Morris, seconded by Mr. Gates, moves that this House do now resolve itself into a Committee of the Whole on the Revenue Bill. Which was carried, and Dr. Baldwin took the Chair of the Committee. The House resumed. Dr. Baldwin reported progress, and obtained leave to sit again on Monday next. Ordered, that the Report be received, and leave was granted accordingly.

The House then adjourned till ten o'clock on Monday next.

Monday, 10th December, 1821.

The House met. Prayers were read. The minutes of Saturday were read.

Agreeably to the order of the day, the Registers Appointment Bill was read the second time.

Mr. Morris, seconded by Mr. McMartin, moves that the House do now resolve itself into a Committee of the Whole on the Bill to amend the laws now in force relating to the appointment of Registers within this Province. Which was carried, and Mr. Peterson took the Chair of the Committee. The House resumed. Mr. Peterson reported the Bill as amended.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Gates, Willson (Prince Edwd.), Pattie, Randal, White, Clark, Morris, Wilmot, Casey, Peterson, Jones (Grenville), Kerr, Chisholm, Bidwell, Rogers, Shaver, McDonell.

Nays: Messrs. Attorney General, Hagerman, Bostwick, Burwell, Walsh, McMartin, Hamilton (Lincoln), McLean (Stormont), VanKoughnet.

The question was carried in the affirmative by a majority of nine, and the Report received accordingly.

Mr. Morris, seconded by Mr. Casey, moves that the Bill to amend the laws now in force relating to the appointment of Registers within this Province be engrossed, and read a third time on to-morrow. Which was ordered.

Agreeably to notice, Mr. Jones, of Leeds, seconded by Mr. Burwell, moves that it be resolved that the Clerk of this House be directed to cause to be made

out, in alphabetical order, plain and correct indexes of the matters contained in each volume of the Journals of this House from the year One thousand eight hundred and sixteen to the present year, both years inclusive, and annex the same to the respective volumes to which they relate; and that a similar index be annexed to each and every volume of the Journals of every subsequent Session, and that the Clerk be also directed to include the expense incurred for the same in the contingent accounts. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Bill to repeal the Act appointing a Provincial Agent, Mr. Walsh in the Chair. The House resumed. Mr. Walsh reported the Bill as amended. Ordered that the Report be received.

Mr. Jones, of Grenville, seconded by Mr. McLean, of Stormont, moves that the Bill to repeal an Act, passed in the fifty-sixth year of His late Majesty's reign, providing for the appointment of a Provincial Agent, be engrossed, and read a third time on Wednesday next. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Physic and Surgery Bill. Mr. Wilmot in the Chair. The House resumed. Mr. Wilmot reported the Bill as amended.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Wilmot, VanKoughnet, Bostwick, Hagerman, Robinson, Willson (Prince Edwd.), Randal, Walsh, Clark, Chisholm, Pattie, Shaver, Peterson, Bidwell, Rogers, Casey, Gates.

Nays: Messrs. Jones (Grenville), Attorney General, McLean (Stormont), Baldwin, Jones (Leeds), Morris, Burwell, Kerr.

The question was carried in the affirmative by a majority of nine, and the Report received accordingly.

Mr. Casey, seconded by Mr. Hamilton, of Lincoln, moves that the Physic and Surgery Bill be engrossed, and read a third time to-morrow. Which was ordered.

Dr. Baldwin, from the Committee to inquire into the state of the Public Posts for the conveyance of Letters throughout this Province, informed the House that the Committee had agreed to a Report, which he was directed to submit for the adoption of the House. Ordered, that the Report be received, and it was read as follows:—

Report of the Committee of the Commons House of Assembly, to whom was referred, "to inquire into the state of the Public Posts for the Conveyance of Letters throughout this Province, how far the present system is sanctioned by law, and whether and in what manner the same can be beneficially altered," with leave to report by Bill or otherwise.

(Made the 8th day of December, 1821.)

It appears to the Committee of Your Honorable House that an inquiry was heretofore made in the Fifth Session of the Seventh Parliament into the rates of postage charged and the authority under which the same have been directed to be charged. That the information obtained upon that inquiry not being satisfactory, the House confined itself merely to the consideration of the administration of the Post Office Department, and declining, as appears to Your Committee, that part of the inquiry relating to the authority thereto, resolved that the rates of Postage charged in Upper Canada for several years past for the conveyance of letters have exceeded the charges authorized by law, and therefore an Address was

presented to the Lieutenant Governor, requesting him to represent the same to His Majesty's Ministers, and to pray their interference with the Postmaster-General in Great Britain, to prevent the continuance of so great an evil. It therefore appears clearly to Your Committee that Your Honorable House, not being by that inquiry and resolution informed "how far the present system is sanctioned by law, and whether and in what manner the same can be beneficially altered," it became the duty of Your Committee to proceed with diligence in the inquiry, and having so done, humbly beg leave to report that having called before them William Allan, Esquire, the Deputy Post Master at York, it appears as far as this gentleman's information goes that he has received a deputation from the Deputy Post Master General at Quebec, under his hand and seal, and receives occasionally instructions from him, but does not know under what authority he acts; that he has never been referred by the Deputy Post Master General to any particular Statute for his guidance, and that in fact the postages of letters within this Province with regard to distances have been charged at arbitrary rates from place to place, as directed by the Deputy Post Master General, as to the rate of number and size of packets and letters. Mr. Allan's examination, hereto annexed, will give information. It appears also that the Post Office at York yields a net revenue at an average annually of from £800 to £900 per annum remitted to the Deputy Post Master General at Quebec; that there are now thirty-two Post Offices within this Province, and although Mr. Allan could not give any information as to the receipts of these offices, as he only accounts with the Deputy Post Master General, yet Your Committee considering the relative situation of these several Post Offices are of opinion that the net revenue of the Post Office remitted to the Deputy Post Master General at Quebec must be rated over £2,500 per annum, of which perhaps about a ninth or tenth part may be foreign postage, collected here and remitted with the inland postage throughout this Province. That this revenue thus collected is not in any manner whatever brought to the account of this Province, so far as Your Committee can learn by the examination of Mr. Allan; it is remitted to Quebec to the Deputy Post Master General there, and this office, as Mr. Allan believes (though he does not know the fact) remits the revenue to London.

Your Committee, however, are certain that this Revenue is not brought to the credit of this Province either in the Public Accounts of Lower Canada or of this Province, but is ultimately remitted to England, to the Post Master General in London, and there paid into the Exchequer of the United Kingdom for the Public Service.

For the details of the present system, so far as the examination of Mr. Allan goes, Your Committee beg leave to refer to that examination hereto annexed. Want of sufficient time has prevented Your Committee from receiving information from the distant Post Offices. As to the question how far this system is sanctioned by law, Your Committee proceed to report: That the revenue of the Post Office, from its earliest establishment in England, has been appropriated to the purpose of the general expenditure of revenue in that Kingdom, though subject to particular annuities at different times. The Statute prepared in the ninth year of the Reign of Queen Anne makes a special appropriation of a portion of this Province, and the 42nd clause of the same Act directs the unappropriated one-third to be at the disposal of Parliament, and the Statute passed in the 41st year of the reign of Geo. 3rd, U.K., directs the revenue of the Post Office to be applied to various pur-

poses for the service of Great Britain, the rates established by this Act being avowedly levied "for raising the necessary supplies to defray His Majesty's Public Expenses, and for making a permanent addition to the Public Revenue."

The uniform appropriation of the Post Office Revenue is to the service of the Parent State, and in no instance within their investigation to the use of the Colonies or Plantations. Your Committee turned its attention to the Act, passed in the 18th Year of His late Majesty's Reign, intituled "An Act for removing all doubts and apprehensions concerning taxation by the Parliament of Great Britain in any of the Colonies and Plantations in North America and the West Indies, and repealing, etc.," it is declared that the King and Parliament of Great Britain will not impose any duty, tax or assessment whatever, payable in any of His Majesty's Colonies, Provinces and Plantations in North America or the West Indies, except only such duties as it may be expedient to impose for the regulations of commerce, the net produce of such duties to be always paid and applied to and for the use of the Colony, Province or Plantation in which the same shall be respectively levied in such manner as other duties collected by the authority of the respective General Courts of General Assemblies of such Colonies, Provinces or Plantations are ordinarily paid and applied. Moreover, the Act, passed in the 31st year of the Reign of His said late Majesty, giving to this Province its constitution, in its 46th clause, recognizing the aforesaid 18th of the King, enacts the reservation of certain powers in the British Parliament, viz.: 1st, the execution of any law made or to be made by the British Parliament for establishing regulations or prohibition, or for imposing, levying or collecting duties for the regulation of navigation or for the regulation of commerce to be carried on between the said two Provinces, or between either of the said Provinces and any other part of His Majesty's Dominions, or between either of the said Provinces and any foreign Country or State.

2nd. Or for appointing and directing the payment of drawbacks of such duties so imposed, withholding from His Majesty, His Heirs or Successors, any power or authority by and with the advice of the Legislative Council and Assemblies, to vary or repeal any such law or laws or any part thereof, or in any manner to prevent or obstruct the execution thereof.

Amongst which powers so reserved nothing appears to Your Committee in the least to imply a reservation of the powers of enforcing the collection or levying of any rate or tax for the Post or Carriage of Letters through this Province. Your Committee further remark that this very clause in the reservation of these powers has these remarkable words: "Subject, nevertheless, to the conditions hereinbefore recited with respect to the application of any duties which may be imposed for that purpose," that is to say, that if the British Parliament under those reserved powers by any law for the regulation of commerce, levied any duty, such duty must be applied for the use of the Colony, in the same manner as other duties collected by the authority of the Provincial Legislature, one ordinarily paid and applied.

Your Committee therefore respectfully beg leave to report that not considering the Post Office Establishment a Commercial regulation, or in any wise within the exception of the 46th clause of the 31st Geo. 3rd, and that its revenue is applied to purposes of general expenditure of the United Kingdom, and not in any way, to the knowledge of Your Commissioners, applied to the use of this Province, nor hath this Legislature in any wise authorized the levy, nor applied the proceeds thereof to any use whatever, are of opinion "that the present system of levying rates on

the Post and Carriage of Letters throughout this Province is not sanctioned by law."

Your Committee beg leave further to state the difficulty presenting itself to this inquiry by the very imperfect information received from the Post Office itself, as appears by the examination of William Allan, Esquire, the Post Master of York, hereunto annexed. Nevertheless, previous to coming to the foregoing conclusion against the practice of several years, we closely examined the Statute passed in the 9th year of the Reign of Queen Anne, and the 41st of George the 3rd, as the laws most probably thought by the Post Master General as his authority for the practice. And on this part of the subject, Your Committee considering the 9th of Anne as not even by its own provisions applying to this Colony, and as repealed by the 13th and 31st of Geo. 3rd, as before mentioned, beg leave further to remark that the 41st George 3rd, chapter 7, directly repeals the rates of postage under the Statute of Anne, in express words in the first clause, and re-enacts new rates in the second clause, within Great Britain. And in the Act which professedly repeals the rates for the Colonies, in the 6th clause of the Statute of Anne, without doubt because the 18th of George the 3rd intervenes. Nor does the 41st Geo. 3rd preserve those rates in any words expressive of such intention. The 12th clause preserving all matters relative to the Post Office not repealed by itself, cannot be construed to preserve the Statute of Anne as regards this Province, or if it does it can only preserve the 7th clause or power of fixing Posts, without any power to fix rates, which is absurd. Wherefore Your Committee cannot have a doubt that the Statute 9th of Anne is not in force in this Province. Neither can the 41st of Geo. 3rd be in force in this Province, because the 31st of the same Reign is against it; the 18th of the same Reign is against it, and the appropriation of the revenue in the 14th clause of this law, the 41st Geo. 3rd, makes it illegal in the Post Master General to enforce it in this Province.

Your Committee are the more satisfied with the correctness of this conclusion by examining the Statute, passed in the 45th year of His late Majesty, which imposing additional rates to those of the 41st, add a Packet Postage of 1d. on Colonial Letters, and in the next clause add a further rate of 1d. on the Inland Postage. Now, the 41st George 3rd is silent as to Inland Postage on Colonial Letters, and as this Act, the 43rd George 3rd, gives these as additional rates, it must be the Inland conveyance in England, as for example, a letter from Quebec pays a Packet Postage of 1d., it arrives at Falmouth, and for its conveyance thence to London another 1d., the Inland additional rate is added to the usual postage from Falmouth to London, under the 41st Geo. 3rd. And even this additional rate is appropriated to the general revenue of the United Kingdom. The 52nd Geo. 3rd, ch. 88, grants additional rates to them of the 41st and 45th, and these additional rates are given on letters:

Within Great Britain; to and from Ireland; to and from His Majesty's Dominions and Plantations in America.

But nothing is said of such additional rates within the plantations; and to and from parts beyond Seas, whether within His Majesty's Dominions, or not within His Majesty's Dominions.

This last additional rate cannot be strained to Inland Postage in the American Colonies, because the previous clause prescribes the rate as "to and from," and because whatever may be said as to the power of the Post Master General to impose Postage within His Majesty's Dominions he cannot charge Inland Postage

on letters out of his dominions; so that this rate as well as that prescribed for the Colonies, can only apply to the Packet Postage or Transport by Sea; and the second clause, which excepts Guernsey, Jersey and the Isle of Man from this additional rate, saves from this exception the Inland Postage in Great Britain. And the rate is likewise applied to the revenue for defraying the increased charges of the Loan.

In further proof of the correctness of the above conclusion, Your Committee remark that the 4th Geo. 3rd (making perpetual the 6th Geo. 2nd, which imposes duties for the encouragement of trade of the sugar plantations) professes to raise a revenue for defraying the expenses of defending, protecting and securing the same. That the 14th Geo. 3rd, ch. 88, in like manner professes to levy the duties in it imposed, to establish a "fund towards further defraying the charges of the Administration of Justice, and support of the Civil Government of the Province of Quebec in America." Thus the duties raised by British Statutes, for the regulation of commerce, are brought to account for the use of the Province in which such duties are levied, under the provision of the 18th and 31st Statutes of His late Majesty, while the Post Office Revenue, by the statutes imposing and raising it, is applied in aid of the general Revenue of the United Kingdom; which indisputably satisfies the minds of Your Committee that the Legislature of the Mother Country never contemplated the raising of a tax by inland postage in this Colony of Upper Canada.

Whereupon Your Committee beg leave to submit the following Resolution for adoption by the House:

Resolved, That the present system of Public Post for the Conveyance of Letters within this Province has grown into use without the sanction of law, and it is therefore expedient a Bill be brought in, establishing Public Posts and fixing rates and postage of letters and packets, for the purpose of raising a permanent revenue, applicable solely to the improvement of the Post Roads throughout the Province, in such manner as may from time to time be directed by any Act or Acts of the Legislature of this Province, hereinafter to be passed for this purpose.

W. W. BALDWIN, *Chairman.*

Examination of WILLIAM ALLAN, Esquire, Deputy Post Master at York, before the Committee of the House of Assembly, to whom was referred an inquiry into the state of the Post Office Establishment throughout this Province, in the Second Session of the Eighth Provincial Parliament, had the Sixth day of December, 1821, pursuant to the order of the House.

WILLIAM ALLAN, Esquire, called.

1. Q.—By what Commission or Authority is the Post Office established at York? A.—By Commission under the hand and seal of the Deputy Post Master General for British North America.

2. Q.—What are the rates of charges, as well with regard to number and size of packets and letters as the distance of places? A.—The rates as to distances have not yet been regulated, but application has been lately made by the Deputy Post Master General at Quebec, to the Lieutenant Governor of the Province, for an order for the Surveyor General to furnish him with the several distances throughout the Province, for the purpose of establishing a Tariff as to distance; and I know that such an order did issue to the Surveyor General, who is now engaged in preparing the information required for the purpose of making a Tariff, according to the Act of Parliament, I presume the 41st Geo. 3rd, though I do not take upon myself to say positively.

The rates now levied are, on a single letter,
Letter from England to Halifax 1s. 8d. packet boat.

Eastern mail to and from York:

	s.	d.
From Halifax to York	2	9
" Quebec "	1	6
" Montreal "	1	2
" Lancaster "	1	1
" Cornwall "	1	1
" Prescott "	0	10
" Kingston "	0	10
" Belleville "	0	10
" Port Hope "	0	6

Western mail to and from York:

From York to Dundas	0	8
" " Grimsby	0	10
" " Niagara	0	10
" " Burford	0	1
" " Port Talbot	0	1
" " Vittoria	0	1
" " Delaware	0	1
" " Sandwich	1	4
" " Amherstburgh	1	4

This rate is applied to every enclosure not exceeding three in number, when there are four sheets or enclosures it is considered an ounce, over which every quarter ounce is charged as a single letter, and so in proportion to the weight.

3. Q.—Which are the Statutes in which it is presumed authority is given for these charges to be made? A.—I have no knowledge as yet of the charges being authorized by any particular Statute.

4. Q.—What are the annual receipts of postage throughout the Province, if known, distinguishing, if possible, in different items? Inland, Foreign, Packet or Ship postage. A.—I have no knowledge of the Annual receipts throughout this Province.

5. Q.—What are the annual receipts of the post office at York, with the distinction in items as pointed out in the Fourth query, and also the expense attending the office at York? A.—The average receipts of the Post Office in York are from eight to nine hundred pounds per annum, but there is no distinction made between foreign and inland postage in the accounts of that office; this is exclusive of my own allowance. I do not pay any of the Couriers. There are only two Couriers to the Westward of York; one of them is paid at Sandwich, and the other at Niagara, and one Courier at York who is paid at Kingston. The eastern Courier is paid about £500. 0. 0, the Niagara Courier £312. 0. 0, the Sandwich Courier, ditto. I am occasionally called to pay money to make up deficiencies of the Niagara Post Office on the expense of the Courier. The intermediate Post Offices, viz., Nelson, Dundas, Grimsby, St. Catharines and Queenston on that Route, account with the Deputy Post Master General at Quebec. These officers not having anything to do with the payment of Couriers, the before mentioned eight or nine hundred pounds (as an average receipt) includes these occasional drafts on me for the payment of the Niagara Courier. I have not been called on to pay any deficiency for the Eastern Courier.

6. Q.—Will you please to mention the several Post Houses and Towns throughout the Province, with the names of the Deputies in each? A.—The Post Houses are in York. Eastward of the same, Port Hope, Gananoque, Hamilton, Bastard, Cramahe, Richmond, Murray, Perth, Hallowell, Brockville, Adolphustown, Prescott, Napanee, Matilde, Belleville, Cornwall, Bath, Hawksburgh, Kingtan, Lancaster.

West of York, Nelson, Raleigh, Dundas, Sandwich, Burford, Amherstburgh, Vittoria, St. Catharines, Port Talbot, Grimsby, Oxford, Niagara, Delaware, Queenston. In the whole, thirty-five Post Offices.

7. Q.—With whom do the Deputy Post Masters account for their receipts, to what purpose is the money applied, and at what periods of the year are their accounts closed? A.—They account with the Deputy Post Master General, four times in the year, viz., 5th January, 5th April, 5th July, and 5th October in each year. I do not know how the Deputy Post Master General applies the money. The Deputies are all instructed to deliver in their respective accounts and the balance of moneys in their hands within twenty days after the before-mentioned periods.

8. Q.—Is there one General Post Office for British North America, or several such, in each Province? A.—There is but one general Post Office for British North America, that is at Quebec, there is no such in this Province.

9. Q.—Does the Deputy Post Master General at Quebec account immediately with the General Post Office at London? A.—I do not know how the Deputy Post Master General accounts.

10. Q.—Is the mail in London put up in one general bag for Canada, or is there one bag for Lower Canada and one for Upper Canada, and where is the English mail first opened? A.—I do not know how the mail is put up in England. I presume it is opened at Halifax the 8 Summer months; the packet comes for the 4 Winter months, namely, November, December, January and February, to New York, from whence Canada mails are forwarded overland to Montreal. In the Summer months the Canada mail comes overland from Halifax to Quebec. There is no bag sent direct from New York to Upper Canada. I think the letters for Upper and Lower Canada are brought in one bag, which is opened at Montreal, and from thence sent on their respective routes. The Governor's despatches or mail is sent unopened to Quebec.

11. Q.—What are the usual periods of arrival of the British mail at Quebec, Halifax and New York, the time usually required for its transport from those places to Montreal, and the time from Montreal to York? A.—The mails by the Packets are always closed by the General Post Office in London on the first Wednesday in every month. No packet arrives at Quebec, I believe the time from Halifax to Quebec overland is ten days. This expedition is occasioned by late improvements made by the Post Office at Quebec on this route, before which it usually took three weeks. From New York to Montreal I believe three days in Summer and five days in Winter. From Montreal to York in six days. From New York, via Queenston and Dundas, to York about eight days.

12. Q.—What are the expenses of inland transport between the Posts and Towns of this Province, distinguishing when carried in carriages or sleighs, on horseback, or on foot? A.—I have no knowledge of this, further than what I replied to the query number 5.

13. Q.—What place in addition to the Posts already in use do now require, or would bear, the postage of a mail? A.—I do not know of any at present fit for the establishment of an office beyond those already fixed. No doubt but as the country improves other offices will be necessary.

14. Q.—What authority was there for a recent notice in the public papers of the Province, by the Deputy Post Master General, that no letters or packets are to be sent from or to any part of Upper Canada in any other way than by mail under a penalty of———? A.—I do not know what authority the Deputy Post Master General had.

15. Q.—Is the Post Master General accountable for losses of money or packets sustained by individuals entrusting such money or packets for transport by the present establishment of the Post Master General? A.—I believe not. I think the Post Master General does not consider himself amenable for losses sustained in that way.

W. W. Baldwin, *Chairman Committee.*

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill, intituled "An Act to repeal part of and amend an Act, passed in the thirty-seventh Year of His late Majesty's reign, intituled An Act for the better regulating the practice of the law, and to extend the provisions of the same," which they had passed without amendment; also a Message, and having withdrawn, the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council request a conference with the Commons House of Assembly on the subject matter of the Bill intituled "An Act to continue an Act, passed in the forty-sixth year of His late Majesty's Reign, intituled An Act to make provision for certain Sheriffs in this Province, and a certain other Act of the Parliament of this Province, passed in the fifty-seventh year of His late Majesty's Reign, intituled An Act further to continue an Act, passed in the forty-sixth year of His late Majesty's Reign, intituled An Act to make provision for certain Sheriffs in this Province, and also to extend the provisions of the said Act, and to make further regulations respecting the said office of Sherff," and have appointed a Committee of two Members, who will be ready to meet a Committee of the Commons House of Assembly, for that purpose, in the Joint Committee Room at one o'clock p.m., to-morrow.

Legislative Council Chamber,
10th December, 1821. Wm. Dummer Powell, Speaker.

Mr. McLean, of Stormont, seconded by Mr. Hagerman, moves that Messrs. Attorney General, Jones, of Grenville, Gates and Robinson be a Committee, to confer with the Committee of the Honorable the Legislative Council on the Sheriffs Bill. Which was ordered.

Mr. Jones, of Grenville, seconded by Mr. Kerr, moves that sixty copies of the Report of the Committee upon the Post Office Establishment in this Province be forthwith printed for the use of the Members of this House. Which was ordered.

Dr. Baldwin, seconded by Mr. Attorney General, moves that this House do, on Friday next, go into a Committee of the Whole on the Report of the Committee on the Post Office. Which was ordered.

Mr. McLean, of Stormont, seconded by Mr. Hagerman, moves that Messrs. Burwell and Kerr be a Committee to acquaint the Honorable the Legislative Council that this House has appointed a Committee to confer with the Committee of that House, on the subject of the Sheriffs Bill, at the time and place aforesaid. Which was ordered.

Mr. VanKoughnet, from the Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to repeal an Act, passed in the

fifty-sixth year of His late Majesty's Reign, intituled An Act for granting to His Majesty a sum of money towards defraying the expenses of the Civil Government of this Province, and to grant a sum of money for the purposes therein mentioned," and to request their concurrence tehreto, reported they had done so.

Mr. Crooks, of the Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to repeal part of and amend an Act, passed in the fiftieth year of His late Majesty's Reign, intituled, An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose, and also to extend the provisions of the said Act, and also an Act, passed in the fifty-ninth year of His late Majesty's Reign, intituled An Act to repeal part of and amend the laws now in force for laying out, amending and keeping in repair the Public Highways and Roads in this Province," and to request their concurrence thereto, reported they had done so.

Agreeably to notice, Mr. Bidwell, seconded by Mr. Rogers, moves for leave to bring in a Bill for the Relief of Religious Societies. Which was granted, and the Bill read.

Mr. Bidwell, seconded by Mr. Rogers, moves that the Bill for the Relief of Religious Societies be read a second time to-morrow. Which was ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. Gates, moves for leave to bring in a Bill to establish a Market in the Town of Perth, in the County of Carlton. Which was granted, and the Bill read.

Mr. Morris, seconded by Mr. Casey, moves that the Perth Market Bill be read a second time on to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Revenue Bill, Dr. Baldwin in the Chair. The House resumed. Dr. Baldwin reported the Bill as amended. Ordered, that the Report be received.

Mr. Jones, of Grenville, seconded by Mr. Casey, moves that the Revenue Bill be engrossed, and read a third time on to-morrow. Which was ordered.

Mr. Robinson gives notice that he will, on to-morrow, move for leave to bring in a Bill to make good certain moneys issued and advanced in pursuance of an Address of this House at its last Session, to His Excellency, the Lieutenant Governor.

Mr. McLean, of Stormont, gives notice that he will, on to-morrow, move for the appointment of a Select Committee, to take into consideration the Militia Laws of this Province, and to report such amendments as may be found necessary therein by Bill or otherwise.

Mr. Attorney General gives notice that he will move, on Wednesday, for leave to bring in a Bill to remunerate the Commissioners appointed to treat with the Commissioners of Lower Canada.

Mr. Walsh gives notice that he will, on Monday next, move for leave to bring in a Bill to define the qualifications of persons eligible to be elected as Members to serve in the Commons House of Assembly of this Province.

Dr. Baldwin, seconded by Mr. Jones, of Grenville, moves that an Humble Address be presented to His Excellency, the Lieutenant Governor, expressing the thanks of this House for His Excellency's condescension in acquainting this House by Message with the decease of William Halton, Esquire, late Provincial Agent; and also for His Excellency's gracious intention not to supply the vacancy in that office without a Joint Address of both Houses of the Legislature requesting him to do so—and that the Fifth Rule of the House be dispensed with so far as respects the same. Which was ordered.

Dr. Baldwin, seconded by Mr. Shaver, moves that Messrs. Jones, of Grenville, and Casey be a Committee to draft the Address. Which was ordered.

Mr. Jones, of Grenville, from the Committee appointed to draft an Address to His Excellency, the Lieutenant Governor, thanking him for his gracious message, communicating the death of the Provincial Agent, reported a draft, which was received and read the first time.

Dr. Baldwin, seconded by Mr. Shaver, moves that the Address to His Excellency be now read the second time. Which was carried, and the Address was read the second time.

Dr. Baldwin, seconded by Mr. Shaver, moves that the House do now resolve itself into a Committee of the Whole, to take the said Address into consideration. Which was carried, and Mr. Hagerman took the Chair of the Committee.

The House resumed. Mr. Hagerman reported the Address as amended. Ordered, that the Report be received.

Dr. Baldwin, seconded by Mr. Jones, of Grenville, moves that the Address to His Excellency, the Lieutenant Governor, in answer to His Excellency's Message to this House respecting the Provincial Agent, be engrossed, and read a third time to-morrow. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 11th December, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Address to His Excellency, the Lieutenant Governor, thanking him for his gracious message communicating the death of the Provincial Agent, was read the third time, passed, and signed by the Speaker, as follows:

To His Excellency, Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency:

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to express our thanks for Your Excellency's condescension in acquainting this House by message with the decease of William Halton, Esquire, late Provincial Agent; and also Your Excellency's gracious intention not to supply the vacancy in that office without a Joint Address of both Houses of the Legislature requesting Your Excellency to do so.

Commons House of Assembly,

11th December, 1821. Levius P. Sherwood, Speaker.

Dr. Baldwin, seconded by Mr. Jones, of Leeds, moves that Messrs. McMartin and Gates be a Committee, to wait on His Excellency to know when he may be pleased to receive the Address, and to present the same. Which was ordered.

Agreeably to the order of the day, the Registers Appointment Bill was read the third time.

Mr. Casey, seconded by Mr. Shaver, moves that the following be added as a Rider to the Bill:

"Provided always, and be it further enacted by the Authority aforesaid, that no person shall be capable of holding the office of Register within any County or Riding without being an actual resident within such County or Riding for which he is or shall be so appointed." Which was carried.

Mr. Morris, seconded by Mr. Jones, of Leeds, moves that the Bill do now pass, and that it be intituled "An Act to amend an Act, passed in the thirty-fifth year of His late Majesty's Reign, intituled An Act for the public Registering of Deeds, Conveyances, Wills, and other incumbrances which shall be made or may affect any Lands, Tenements, or Hereditaments within this Province."

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Pattie, Baldwin, Willson (Prince Edward), Randal, Gates, Morris, Peterson, Chisholm, Wilmot, Hamilton (Lincoln), Kerr, Casey, Bidwell, Rogers, Shaver, McDonell.

Nays: Messrs. Hagerman, Burwell, McMartin, Walsh, VanKoughnet.

The question was carried in the affirmative by a majority of twelve, and the Bill signed.

Mr. Morris, seconded by Mr. Casey, moves that Messrs. Willson of Prince Edward and Gates be a Committee, to carry up to the Honorable the Legislative Council the Bill intituled "An Act to amend an Act, passed in the thirty-fifth year of His late Majesty's Reign, intituled an Act for the public registering of deeds, conveyances, wills and other incumbrances, which shall be made or may affect any lands, tenements or hereditaments within this Province," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Physic and Surgery Bill was read the third time.

Mr. Casey, seconded by Mr. Rogers, moves that the Bill do now pass, and that it be intituled "An Act to repeal part of and amend the laws now in force for regulating the practice of Physic and Surgery within this Province." Which was carried, and the Bill signed.

Mr. Hagerman, seconded by Mr. Crooks, moves that Messrs. Casey and Willson, of Prince Edward, be a Committee, to carry up to the Honorable the Legislative Council the Physic and Surgery Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Revenue Bill was read the third time.

Dr. Baldwin, seconded by Mr. Rogers, moves that the Bill do now pass, and that it be intituled "An Act to amend the Revenue Laws in this Province." Which was carried, and the Bill signed.

Mr. Robinson, seconded by Mr. Kerr, moves that Messrs. Rogers and Casey be a Committee, to carry up to the Honorable the Legislative Council the Bill intituled "An Act to amend the Revenue Laws of the Province," and to request their concurrence thereto. Which was ordered.

Mr. McMartin, from the Committee to carry up to His Excellency, the Lieutenant Governor, the Address of this House, thanking him for his message concerning the death of the Provincial Agent, reported they had done so.

Agreeably to notice, Mr. Bidwell, seconded by Mr. Rogers, moves for leave to bring in a Bill to regulate the descent and distribution of Intestate Estates.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Pattie, Willson, Clark, Randal, Peterson, Casey, Walsh, VanKoughnet, Bidwell, Rogers.

Nays: Messrs. Robinson, Bostwick, Burwell, Attorney General, Hagerman, Baldwin, Wilmot, Baby, Morris, McMartin, Kerr, Gates, Jones (Grenville), Chisholm, Hamilton (Lincoln), McDonell.

The question was carried in the negative by a majority of six, and lost accordingly.

Agreeably to the order of the day, the Religious Society Bill was read the second time.

Mr. Bidwell, seconded by Mr. Rogers, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Bill for the Relief of Religious Societies. Which was carried, and Mr. Robinson took the Chair of the Committee.

The House resumed. Mr. Robinson reported progress, and obtained leave to sit again on Thursday next.

Mr. Casey, of the Committee to carry up to the Honorable the Legislative Council the Physic and Surgery Bill, reported they had done so.

Mr. Rogers, of the Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to amend the Revenue Laws of this Province" and request their concurrence thereto, reported they had done so.

Mr. Willson, of Prince Edward, from the Committee to carry up to the Honorable the Legislative Council the Registry Bill, and request their concurrence thereto, reported they had done so.

Agreeably to the order of the day, the Perth Market Bill was read the second time.

Mr. Morris, seconded by Mr. Hamilton, of Lincoln, moves that the House do now resolve itself into a Committee of the Whole on the Perth Market Bill. Which was carried, and Mr. Hamilton, of Lincoln, took the Chair of the Committee. The House resumed. Mr. Hamilton reported the Bill as amended. Ordered, that the Report be received.

Mr. Morris, seconded by Mr. Casey, moves that the Perth Market Bill be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to notice, Mr. Robinson, seconded by Mr. Jones of Leeds, moves for leave to bring in a Bill to make good certain moneys advanced by His Excellency, the Lieutenant Governor, in pursuance of an Address, to this House during its last session. Which was granted, and the Bill read.

Mr. Robinson, seconded by Mr. Jones of Leeds, moves that the Bill to make good certain moneys advanced by His Excellency, the Lieutenant Governor, in pursuance of an Address of this House during its last Session, be read a second time on to-morrow. Which was ordered.

Agreeably to notice, Mr. McLean of Stormont, seconded by Mr. Jones of Leeds, moves that Messrs. Robinson, Burwell, Hagerman, Baldwin, Morris and Crooks be a Committee, to take into consideration the Militia Laws of this Province, and to report such amendments as may be found necessary therein by Bill or otherwise. Which was ordered.

Dr. Baldwin gives notice that he will, on Monday next, move for leave to bring in a Bill for the nomination of Trustees to carry into effect the last Will and Testament of William Weekes, Esquire, which, amongst other things, devises certain Estates towards the erection and maintenance of an Academy or Public Seminary for the education of Youth in York.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 12th December, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Ruttan, seconded by Mr. Gates, moves for leave to bring up the Petition of Clothiers and others, Inhabitants of the District of Newcastle. Which was granted, and the Petition brought up.

Mr. Wilmot, seconded by Mr. Kerr, moves for leave to bring up the Petition of Thomas Ward, Esquire, and others, of the County of Durham. Which was granted, and the Petition brought up.

Mr. Hagerman, seconded by Mr. Jones of Leeds, moves for leave to bring up the Petition of Thomas Markland, Esquire, and others, of the Town of Kingston. Which was granted, and the Petition brought up.

Mr. Jones of Leeds, seconded by Mr. Rogers, moves that the Provincial Agents Repeal Bill do now pass, and that it be intituled "An Act to repeal an Act, passed in the fifty-sixth year of His late Majesty's Reign, intituled An Act for granting to His Majesty a sum of money, and to provide for the appointment of a Provincial Agent for this Province." Which was carried, and the Bill signed.

Mr. McMartin, seconded by Mr. Hamilton of Lincoln, moves that Messrs. Jones of Leeds and Shaver be a Committee to carry up to the Honorable the Legislative Council the Provincial Agents' Repeal Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Perth Market Bill was read the third time.

Mr. Morris, seconded by Mr. Shaver, moves that the Bill do now pass, and that it be intituled "An Act to establish a Market in the Town of Perth in the County of Carlton." Which was carried, and the Bill signed.

Mr. Morris, seconded by Mr. Ruttan, moves that Messrs. Crooks and Shaver be a Committee, to carry up to the Honorable the Legislative Council the Perth Market Bill, and request their concurrence thereto. Which was ordered.

Agreeably to notice, Mr. Ruttan, seconded by Mr. Gates, moves for leave to bring in a Bill to reduce to one Act of Parliament the several laws now in force relative to the appointment of Parish and Town Officers within this Province, and also to amend and extend the same. Which was granted, and the Bill read.

Mr. Ruttan, seconded by Mr. Morris, moves that the Parish and Town Officers Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Petitions from the County of Middlesex, Mr. McMartin in the Chair. The House resumed. Mr. McMartin reported progress, and obtained leave to sit again to-morrow.

Agreeably to the order of the day, the House went into Committee on the Gaol Limits Bill, Mr. Baby in the Chair. The House resumed. Mr. Baby reported progress, and obtained leave to sit again to-morrow.

Agreeably to the order of the day, the Highway Bill was read the second time.

Dr. Baldwin, seconded by Mr. Randal, moves that the House do now resolve itself into a Committee on the Highway Bill. Which was carried, and Mr. Randal took the Chair of the Committee. The House resumed. Mr. Randal reported that the Committee had risen.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Baby, moves for leave to bring in a Bill to remunerate certain persons therein mentioned. Which was granted, and the Bill read.

Mr. Attorney General, seconded by Mr. Baby, moves that the Commissioners Remuneration Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Bill to make good certain moneys was read the second time.

Mr. Robinson, seconded by Mr. Kerr, moves that the House do now go into Committee, to take into consideration the Bill for making good certain moneys advanced. Which was carried, and Mr. Chisholm took the Chair of the Committee.

The House resumed. Mr. Chisholm reported the Bill as amended. Ordered, that the Report be received.

Mr. Robinson, seconded by Mr. Wilmot, moves that the Bill to make good certain moneys advanced be engrossed, and read a third time to-morrow. Which was ordered.

Mr. Hagerman gives notice that he will, on Monday next, move for leave to bring in a Bill to alter and amend the Revenue Laws now in force in this Province.

Mr. Bidwell gives notice that he will, on Friday next, move for leave to bring in a Bill to provide for the appointment of Guardian of Minors.

The House then adjourned till ten o'clock to-morrow.

Thursday, 13th December, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Bill to make good certain moneys, issued and advanced by His Excellency, the Lieutenant Governor, to pay the Contingent Accounts of last Session of Parliament, was read the third time.

Mr. Robinson, seconded by Mr. McMartin, moves that the Bill do now pass, and that it be intituled "An Act to make good certain moneys issued and advanced by His Excellency, the Lieutenant Governor, in pursuance of an Address of the House of Assembly." Which was carried, and the Bill signed.

Mr. Rogers, seconded by Mr. Shaver, moves that Messrs. Robinson and Walsh be a Committee, to carry up to the Honorable the Legislative Council the Bill intituled "An Act to make good certain moneys issued and advanced by His Excellency, the Lieutenant Governor, in pursuance of an Address of the House of Assembly," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Still Duty Bill was read the second time.

Mr. Burwell, seconded by Mr. McMartin, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Still License Bill. Which was carried, and Mr. Shaver took the Chair of the Committee. The House resumed. Mr. Shaver reported that the Committee had risen.

Mr. Jones of Leeds, from the Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to repeal an Act, passed in the fifty-sixth year of His late Majesty's Reign, intituled An Act for granting to His Majesty a sum of money, and to provide for the appointment of a Provincial Agent for this Province," and to request their concurrence thereto, reported they had done so.

Mr. Crooks, from the Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to establish a Market in the Town of Perth in the County of Carelton," and to request their concurrence thereto, reported they had done so.

Agreeably to notice, Mr. Jones of Leeds, seconded by Mr. Willson of Wentworth, moves that it is the opinion of this House that it be resolved that an humble Address be presented to His Excellency, the Lieutenant Governor, praying that he will be pleased to direct the proper officer to lay before this House, at an early day of the next Session of Parliament, a detailed statement of all moneys in arrears, due and payable from and after the first day of January, one thousand eight hundred and twelve, into the hands of the Receiver General of this Province, to and for the uses of the Province aforesaid, such arrearages being in the hands of any Collectors, Inspectors, Sheriffs, Officers commanding Regiments, or in the hands of any person or persons in office or not in office, and that His Excellency

will be pleased in the meantime to order such coercive measures to be adopted for the recovery of such sums in arrear as may be practicable and advisable.

And also that His Excellency will be further pleased to direct the proper officer to demand from all persons whatever who may have been entrusted with Public moneys, and who have not already accounted for the same, to send in detailed accounts and vouchers, properly attested, showing the manner in which the moneys so entrusted to them have been expended, and that copies of such detailed accounts be also laid before this House, at an early day of next Session.

In amendment, Mr. Willson of Wentworth, seconded by Dr. Baldwin, moves that the Resolution before the House be submitted to a Committee of the Whole House to-morrow. Which was lost.

The original question was then put and carried.

Agreeably to the order of the day, the House went into Committee on the Registry Law Amendment Bill, Mr. Casey in the Chair. The House resumed. Mr. Casey reported progress, and obtained leave to sit again to-morrow.

Agreeably to the order of the day, the House went into Committee on the Religious Society Bill, Mr. Crooks in the Chair. The House resumed. Mr. Crooks reported the Bill as amended. Ordered, that the Report be received.

Mr. Bidwell, seconded by Mr. Rogers, moved that the Bill for the Relief of Religious Societies be engrossed, and read a third time to-morrow. Which was ordered.

Mr. Jones of Leeds, seconded by Mr. Burwell, moves that a Committee be appointed to draft an Address to His Excellency, the Lieutenant Governor, upon the subject of a Resolution of this day relative to Public Accounts, and that Messrs. Willson of Wentworth and Gates compose the said Committee. Which was ordered.

Agreeably to the order of the day, the Parish and Town Officers Bill was read the second time.

Mr. Ruttan, seconded by Mr. Gates, moves that the House do now resolve itself into a Committee of the Whole on the Parish and Town Officers Bill. Which was carried, and Mr. VanKoughnet took the Chair of the Committee.

The House resumed. Mr. VanKoughnet reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House; and asked leave to sit again on Monday next. Ordered, that the Report be received, and leave granted, and it was

Resolved, that it is the opinion of this House that the Parish and Town Officers Bill be referred to a Select Committee to report thereon.

Mr. Jones of Grenville, seconded by Mr. Wilmot, moves that Messrs. Willson of Wentworth, Crooks and Rogers be a Committee, to take into consideration the Parish and Town Officers Bill, and report thereon. Which was ordered.

Mr. Crooks, seconded by Mr. Rogers, moves that Messrs. Jones of Grenville, Jones of Leeds and Ruttan be added to the said Committee. Which was carried.

Agreeably to the order of the day, the House went into Committee on the Gaol Limits Bill, Mr. Baby in the Chair. The House resumed. Mr. Baby reported the Bill as amended. Ordered, that the Report be received.

Mr. Willson of Wentworth, from the Committee to whom was referred the Petition of Margaret Rosseaux, informed the House that the Committee had agreed to a Report by Bill, which he was directed to submit for the adoption of the House. Ordered, that the Report be received, and the Bill was read the first time.

Mr. Hamilton of Lincoln, seconded by Mr. Chisholm, moves that the Gaol Limits Bill be engrossed, and read a third time to-morrow. Which was ordered.

Mr. Willson of Wentworth, seconded by Mr. Chisholm, moves that the Bill granting a Pension to Margaret Rosseaux be read a second time to-morrow.

In amendment, Mr. Rogers, seconded by Mr. Crooks, moves that the word "to-morrow" be expunged, and "this day three months" be inserted.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Bostwick, Shaver, VanKoughnet, Morris, Hagerman, Wilmot, Horner, Crooks, Rogers, Hamilton (Lincoln), McLean (Stormont), Ruttan, McMartin, Gates, Peterson, Bidwell.

Nays: Messrs. Walsh, Willson (P. Edward), Randal, Chisholm, Willson (Wentworth).

The question was carried in the affirmative by a majority of twelve.

The original question as amended was then put, and ordered.

Agreeably to the order of the day, the Commissioners Remuneration Bill was read the second time.

Mr. Hagerman, seconded by Mr. Shaver, moves that the House do now resolve itself into a Committee, to take into consideration the Bill for granting remuneration to certain Commissioners therein mentioned. Which was carried, and Mr. McLean of Stormont took the Chair of the Committee.

The House resumed. Mr. McLean reported the Bill as amended. Ordered, that the report be received.

Mr. Hagerman, seconded by Mr. Shaver, moves that the Bill granting remuneration to certain Commissioners therein named be engrossed, and read a third time to-morrow. Which was ordered.

Mr. McLean of Stormont, gives notice that he will to-morrow move for leave to bring in a Bill to enable persons who may be entitled to claim lands in this Province as Assignees, Heirs or Devisees of any person or persons holding or claiming the same under the Original Nominees of the Crown, to obtain Patents for the same.

Mr. VanKoughnet gives notice that he will on to-morrow move that it be resolved that an humble Address be presented to His Excellency, the Lieutenant Governor, praying him to require the Treasurers of the several Districts throughout this Province to render a correct account in detail of all the moneys which have come into their hands since the commencement of the year One thousand eight hundred and nine to the present date, and in what manner they have been laid out and expended, producing at the same time the different vouchers and receipts for the same, to be laid before this House at an early period of the next Session of Parliament.

Mr. Randal gives notice that he will on to-morrow move that the Members of the House holding situations under the Government of this Province be obliged to lay before the House the description of situation each and every of them hold, and the sum annually received by each on account of the same; as also an account of such situations as are held by their fathers or brothers under the Government.

The House then adjourned till ten o'clock to-morrow.

Friday, 14th December, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Willson of Wentworth, seconded by Mr. Chisholm, moves for leave to bring up the Petition of David Tuttle, of Ancaster, in the District of Gore. Which was granted, and the Petition brought up.

Mr. Willson of Wentworth, seconded by Mr. Rogers, moves for leave to bring up two Petitions of the Episcopal Methodists in this Province. Which was granted, and the Petitions brought up.

Mr. Nichol, seconded by Mr. Wilmot, moves that he have leave to bring up the Petition of sundry Inhabitants of the County of Norfolk. Which was granted, and the Petition brought up.

Agreeably to the order of the day, the Religious Society Bill was read the third time.

Mr. Bidwell, seconded by Mr. Jones of Grenville, moves that the Religious Society Bill do pass, and that it be intituled "An Act for the Relief of Religious Societies," which was carried, and the Bill signed.

Mr. Bidwell, seconded by Mr. Shaver, moves that Messrs. McDonell and Rogers be a committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act for the relief of Religious Societies," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Gaol Limits Bill was read the third time.

Mr. Nichol, seconded by Mr. Attorney General, moves that the Gaol Limits Bill be recommitted to a Committee of the Whole House on Monday next.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Mr. Nichol.

Nays: Messrs. Bostwick, Hagerman, Burwell, Robinson, Jones (Leeds), Baldwin, Pattie, Willson (P. Edwd.), White, Clark, Wilmot, Randal, Willson (Went.), Horner, Gates, Hamilton (Linc.), Shaver, Rogers, Bidwell, Morris, Casey, Jones (Grenville), McMartin, Attorney General, McLean (Stormont), Ruttan, Gordon, Hamilton (Went.), Peterson, Kerr.

The question was decided in the negative by a majority of twenty-eight, and lost accordingly.

Mr. Hamilton of Lincoln, seconded by Mr. Jones of Grenville, moves that the following clause be added as a Rider.

"And be it further enacted by the authority aforesaid that upon such assignment of the Bond to the plaintiff or his legal representatives, he or them may, as assignee or assignees, sue thereupon in his or their own name, and that it shall not be in the power of the Sheriff in whose name such security was taken to release such action." Which was carried.

Mr. Hamilton of Lincoln, seconded by Mr. Shaver, moves that the Gaol Limits Bill do now pass, and that it be intituled "An Act for assigning Limits to the respective Gaols within this Province." Which was carried, and the Bill signed.

Mr. Hamilton of Lincoln, seconded by Mr. Shaver, moves that Messrs. Randal and White be a Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act for assigning Limits to the respective Gaols within this Province," and request their concurrence thereto.

In amendment, Mr. Rogers, seconded by Mr. Casey, moves that Mr. Randal's name be expunged, and the name of Mr. Hamilton of Lincoln inserted. Which was carried.

The original question as amended was then put and carried.

Agreeably to the order of the day, the Bill for remunerating the Commissioners was read the third time.

Mr. Nichol, seconded by Mr. Horner, moves that the Commissioners remun-

eration Bill be recommitted to a Committee of the Whole on Monday next. Which was lost.

Mr. Hagerman, seconded by Mr. Robinson, moves that the Bill to Remunerate Certain Commissioners therein named do now pass, and that it be intituled "An Act to remunerate the Commissioners appointed to meet on behalf of this Province with the Commissioners of Lower Canada, on the subject of our Commercial relations with that Province." Which was carried, and the Bill signed.

Mr. Hagerman, seconded by Mr. Jones of Leeds, moves that Messrs. Robinson and Clark be a Committee to carry up to the Honorable the Legislative Council the Commissioners' Remuneration Bill and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petition from the Inhabitants of the Townships of Cramahe and Haldimand, praying that an Act may be passed authorizing the importation of certain Dye Stuffs from the United States; the Petition from Thomas Ward, Esquire, and others, praying to be remunerated for loss of time, and expense in attending as witnesses during the trial of the contested Election for the County of Durham at the last session of the Provincial Parliament; and the Petition from the Inhabitants of the Town of Kingston, praying for the Incorporation of a Bank at that place, were then read.

Mr. Ruttan, seconded by Mr. Chisholm, moves that the Petition of Clothiers and others, Inhabitants of the District of Newcastle, be referred to Messrs. Baldwin, Jones, of Grenville and McMartin as a Committee, and that they have leave to report thereon. Which was carried.

Mr. Wilmot, seconded by Mr. Willson, of Prince Edward, moves that the Petition of Thomas Ward and others be referred to a Select Committee, and that Messrs. Willson, of Wentworth, Nichol and Clark be a Committee to report thereon by Bill or otherwise. Which was carried.

Mr. Hagerman, seconded by Mr. Bostwick, moves that the Petition of Thomas Markland, Esquire, and others, be referred to a Committee, to report thereon by Bill or otherwise; and that Messrs. Jones of Leeds and Robinson compose the said Committee. Which was carried.

Mr. Nichol, seconded by Mr. Wilmot, moves that the Sixth Rule of the House be dispensed with in so far as the same relates to the Petition of the Inhabitants of the County of Norfolk, and that it be now read. Which was carried, and the Petition from the Inhabitants of the County of Norfolk, praying that the District of London may not be divided, was read.

Mr. Burwell, seconded by Mr. Bostwick, moves that the Petition from the County of Norfolk, having been read, be referred to the Committee of the Whole on the Middlesex Petition. Which was ordered.

Dr. Baldwin, from the Committee to whom was referred the Petition from the Millers, praying for an increase of Toll, informed the House that the Committee had agreed to a Report, which he was directed to submit whenever the House would be pleased to receive it. Ordered, that the report be received, and it was read as follows:

The Committee, to whom was referred the Petition of several Millers of the Home District, beg leave to report, that they have had the said Petition under their consideration, and are of opinion that it is not advisable, in the present state of the country, to augment the rate of toll now allowed by law.

W. W. Baldwin, Chairman.

Agreeably to the order of the day, the House went into Committee on the Middlesex Petitions, Mr. McMartin in the Chair. The House resumed. Mr. McMartin reported progress, and asked leave to sit again this day three months.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Gordon, Attorney General, Hagerman, Bostwick, Jones (Leeds), Baldwin, Nichol, Walsh, Willson (P. Edward), Randal, Wilmot, Willson (Wentworth), Horner, Hamilton (Lincoln), McDonell, Bidwell, Kerr, McMartin, Peterson, Chisholm, Crooks, Gates, VanKoughnet, Baby, Robinson.

Nays: Messrs. Burwell, Pattie, White, Morris, Hamilton (Went.), McLean (Stormont), Ruttan, Casey, Rogers.

The question was carried in the affirmative by a majority of sixteen, the Report received, and leave granted accordingly.

Mr. McDonell, from the Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act for the Relief of Religious Societies," and to request their concurrence thereto, reported they had done so.

Agreeably to notice, Mr. Bidwell, seconded by Mr. Rogers, moves for leave to bring in a Bill to provide for the appointment of Guardians. Which was granted, and the Bill read.

Mr. Bidwell, seconded by Mr. Rogers, moves that the Guardian Bill be read a second time on Monday next. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Registry Amendment Bill, Mr. Casey in the Chair. The House resumed. Mr. Casey reported progress, and obtained leave to sit again to-morrow.

Agreeably to notice, Mr. McLean of Stormont, seconded by Mr. Rogers, moves for leave to bring in a Bill to enable persons entitled to claim lands in this Province under Titles or Assignments derived from the Heirs, Devisees or Assignees of the Original Nominees of the Crown to obtain Patents for the same in cases where no patents have issued, and where such Heirs, Devisees or Assignees may have died or left the Province. Which was granted, and the Bill read.

Mr. McLean, of Stormont, seconded by Mr. Ruttan, moves that the Bill to enable persons entitled to claim lands in this Province under Titles or Assignments from Heirs, Devisees or Assignees of the original Nominees of the Crown to obtain Patents for the same be read a second time on Monday next. Which was ordered.

Mr. Willson, of Wentworth, of the Committee to draft an Address to His Excellency, the Lieutenant Governor, pursuant to a Resolution of this House relative to Public Accountants, reported a Draft, which was read the first time.

Mr. Jones, of Leeds, seconded by Dr. Baldwin, moves that the Fifth Rule of the House be dispensed with in so far as relates to the Address, and that it be now read a second time. Which was carried, and the Address was read the second time.

Mr. Jones, of Leeds, seconded by Dr. Baldwin, moves that the House do now resolve itself into a Committee of the Whole, to take the Address into consideration. Which was carried, and Mr. Gordon was called to the Chair of the Committee. The House resumed. Mr. Gordon reported the Address as amended. Ordered, that the Report be received.

Mr. Jones, of Leeds, seconded by Mr. Burwell, moves that the Address to His Excellency, the Lieutenant Governor, be engrossed, and read a third time to-morrow. Which was ordered.

The House then adjourned till Monday at ten o'clock a.m.

Monday, 17th December, 1821.

The House met. Prayers were read. The minutes of Friday were read.

Agreeably to the order of the day, the Address to His Excellency, the Lieutenant Governor, relating to Public Accountants, was read the third time, passed, and signed by the Speaker, as follows.

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, etc.

May it please Your Excellency:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, most humbly request Your Excellency to be pleased to direct the proper officer to lay before this House, at an early day of the next Session of Parliament, a detailed statement of all moneys in arrear, due and payable from and after the first day of January, one thousand eight hundred and twelve, into the hands of the Receiver General of this Province, to and for the uses of the Province aforesaid, such arrearages being in the hands of any Collectors, Inspectors, Sheriffs, Officers Commanding Regiments, or in the hands of any person or persons in office or not in office; and that Your Excellency will be pleased in the meantime to order such coercive measures to be adopted for the recovery of such sums in arrear as may be practicable and advisable.

And also that Your Excellency will be further pleased to direct the proper officer to demand from all persons whatsoever, who may have been entrusted with public moneys and who have not already accounted for the same, to send in detailed accounts and vouchers, properly attested, showing the manner in which the moneys so entrusted to them have been expended, and that copies of such detailed accounts be also laid before this House at an early date of next Session.

Commons House of Assembly,

17th December, 1821. LEVIUS P. SHERWOOD, Speaker.

Mr. Jones, of Leeds, seconded by Mr. Burwell, moves that Messrs. Robinson and Gordon be a Commitee, to wait upon His Excellency, the Lieutenant Governor, to know when he will be pleased to receive the Address of this House, upon the subject of Public Defaulters, and to present the same. Which was ordered.

Agreeably to order, the Petition from David Tuttle, of the Township of Ancaster, praying for remuneration for his lands sold by the Commissioners appointed for the disposal of forfeited estates; and Petitions Numbers twenty-five and twenty-six, from the Methodist Episcopal Church in this Province, and their friends, praying that the privilege of Solemnizing Marriage may not be withheld from their Ordained Ministers, were then read.

Agreeably to the order of the day, the House went into Committee on the Report relative to the Post Office Establishment in this Province, Mr. Bostwick in the Chair. The House resumed. Mr. Bostwick reported progress, and asked leave to sit again to-morrow. Ordered, that the Report be received, and leave was granted accordingly.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to repeal part of and amend the laws now in force respecting the practice of His Majesty's Court of King's Bench in this Province," which the Honorable the Legislative Council had passed, and recommended to the adoption of this House: and having withdrawn, the Bill

intituled "An Act to repeal part of and amend the laws now in force respecting the practice of His Majesty's Court of King's Bench in this Province," was read the first time.

Mr. Crooks, seconded by Mr. Willson, of Wentworth, moves that the Bill reorganizing the Court of King's Bench be read a second time on Thursday next. Which was ordered.

Mr. Jones, of Grenville, of the Select Committee to whom was referred the consideration of the Parish and Town Officers Bill, informed the House that the Committee had agreed to a Report, which he was directed to submit whenever the House would be pleased to receive the same. Ordered, that the Report be now received, and it was read as follows:

The Committee to whom was referred the Parish and Town Officers Bill, Report to Your Honorable House, That on examination they find the Bill, in most of its provisions, a literal transcript of the present laws, which appear to Your Committee to require a thorough revision and many alterations.

Your Committee cannot therefore recommend an adoption thereof in its present shape.

17th December, 1821. JONAS JONES, Chairman.

Dr. Baldwin, of the Committee to whom was referred the Petition of John Henry, praying for remuneration for repairs done by him to the Highway at the River Rouge, informed the House that the Committee had agreed to a Report, which he was directed to submit whenever the House should be pleased to receive the same. Ordered, that the Report be now received, and it was read as follows:—

To the Commons of the Province of Upper Canada, in Provincial Parliament assembled.

The Committee to whom was referred the Petition of John Henry, of the Township of Pickering, respectfully beg leave to Report:

That some of Your Committee have seen the improvement made by the Petitioner on the Hill on the West side of the River Rouge. We are of opinion that the labour that has been performed by Mr. Henry at that place is a great advantage to the public, and recommend that the Petitioner be allowed the sum of twenty-five pounds out of the Public Funds of this Province, as a compensation for the labour, when the said amended road shall be established by the Magistrates in Session.

York, 1821.

Mr. Ruttan, from the Committee to whom was referred the Petition of the Townships of Cramahe and Haldimand, praying for the importation of certain Dye Stuffs from the United States, informed the House that the Committee had agreed to a Report, which he was ready to submit whenever the House should think proper to receive the same. Ordered, that the Report be now received, and it was read as follows:

To the Honorable the Commons of Upper Canada in Provincial Parliament assembled.

Your Committee, to whom was referred the Petition of Clothiers and other Inhabitants of the District of Newcastle, praying for relief from the prohibition of Dye Woods imported from the United States, humbly beg leave to report:

That the dye woods therein named are not of the growth, produce or manufacture of the United States, and that in consequence they are prohibited by an Act of the Imperial Parliament of the fifty-second year of the Reign

of George the Third, chapter fifty-fifth, from being brought from the United States of America by land or inland navigation into either of the Provinces of Canada, under the penalty of the forfeiture of the said goods or commodities or the value thereof, together with the vessel or carriage in which the same may be brought.

But Your Committee beg leave to suggest to Your Honorable House that although the Provincial Parliament are precluded from legislating upon the subject, yet the importance of the object prayed for may fully justify an application to the British Parliament.

H. Ruttan, Chairman.

Mr. Casey, of the Committee to whom was referred the several petitions from the Methodists and their friends in this Province, informed the House that the Committee had agreed to report by a Bill for their relief, which he was ready to submit whenever the House should be pleased to receive the same. Ordered, that the Report be now received, and the Bill was read the first time.

Mr. Casey, seconded by Mr. Shaver, moves that the Marriage Amendment Bill be read a second time on Wednesday next. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Registry Amendment Bill, Mr. Casey in the Chair. The House resumed. Mr. Casey reported the Bill as amended. Ordered, that the Report be received.

Mr. Bidwell, seconded by Mr. Rogers, moves that the Registry Amendment Bill be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to notice, Dr. Baldwin, seconded by Mr. Jones of Leeds, moves for leave to bring in a Bill for the appointment of Trustees to the Will of the late William Weekes, Esquire, deceased, and that the Third Rule of this House be dispensed with in so far as regards its introduction by Petition. Which was granted, and the Bill read.

Dr. Baldwin, seconded by Mr. Willson of Wentworth, moves that the Bill for appointing Trustees to the Will of the late William Weekes, Esquire, be read a second time to-morrow. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 18th December, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. McLean of Stormont, seconded by Mr. Bostwick, moves for leave to bring up the Petition of Adam Dixon, of the Township of Cornwall, Merchant.

Which was granted and the Petition brought up.

Dr. Baldwin, seconded by Mr. Bostwick, moves for leave to bring up the Petition of Edward Oates.

Which was granted, and the Petition brought up.

Agreeably to the order of the day, the Registry Amendment Bill was read the third time.

Mr. Bidwell, seconded by Mr. Shaver, moves that the Registry amendment Bill do pass, and that it be intituled "An Act to repeal part of and amend the laws now in force relative to the Registering of Deeds and other Instruments of Conveyance in this Province." Which was carried, and the Bill signed.

Mr. Morris, seconded by Mr. Chisholm, moves that Messrs. Walsh and Shaver be a Committee to carry up to the Honorable the Legislative Council the Registry Amendment Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Parish and Town Officers Bill, Mr. VanKoughnet in the Chair. The House resumed. Agreeably to the order of the day, the Guardian Bill was read the second time. Mr. Bidwell, seconded by Mr. Casey, moves that the House do now resolve itself into a Committee of the Whole upon the Guardian Bill. Which was carried, and Mr. Randal was called to the Chair of the Committee. The House resumed. Mr. Randal reported progress and obtained leave to sit again on Friday next.

Agreeably to notice, Mr. Hagerman, seconded by Mr. VanKoughnet, moves for leave to bring in a Bill to alter and amend the Revenue Laws of this Province. Which was granted, and the Bill read.

Mr. Hagerman, seconded by Mr. Jones of Leeds, moves that the Revenue Bill be read a second time to-morrow. Which was ordered.

Mr. Jones of Grenville, of the Committee to whom was referred the Public Accounts, informed the House that the Committee had agreed to a Report, which he was ready to submit whenever the House should be pleased to receive the same. Ordered, that the Report be now received, and it was read as follows:

To the Honorable the Commons House of Assembly: The Committee of Finance, appointed by Your Honorable House to take into consideration the Public Accounts sent down by His Excellency the Lieutenant Governor during the present Session, having attentively examined the same, beg leave to report thereon as follows:

1st. That the net revenue arising to the Province from Duties imposed on Licenses to Shopkeepers, Innkeepers, Distillers and Wholesale Dealers in spirituous liquors, amounts to £3,104 15s. 11¾d., exclusive of Crown Revenue, amounting in all to the sum of £1,518, which is applicable to the support of the Civil administration of the Government of the Province, and so considered in the accounts. On a reference to the Inspector General it appears that £143 5s. has been received for duties on Licenses issued as above since the 21st November last, and he has estimated the probable proceeds of revenue from these heads from the said 21st November to the 31st December instant, at £150, which sums added to the amount at first stated will make the probable amount of Revenue for the year £3,398 11s. 0¼d. By the Report on the Public Accounts for the last year, Your Committee find the net revenue arising from the above sources amounted to £4,180 12s. 0d., from which it appears that a diminution of £782 9s. 2¾d. will probably take place.

2nd. That the amount of duties collected at the several Ports in this Province, on Merchandise imported from the United States of America between the 1st of January and the 21st November last is £1,492 16s. 4d. On application to the Inspector General he has estimated the probable receipt of the revenue arising from this source from the last quarter, commencing on the 1st October (and for whom no returns have yet been made) at £700, which added to £1,492 16s. 4d. makes £2,192 16s. 4d., the probable amount at the completion of the year. This is less than the amount collected for the last year, by £120 8s. 5½d. By a statement from the Inspector General it appears that the principal deficit in this source of the revenue is upon Salt; the amount collected on that article in 1820 was £1,054 2s. 6d., whereas for three quarters of the present year only £422 13s. 9d. has been received for duties on importations of salt at the different Ports throughout this Province.

3rd. That in the revenue derived from Licenses to Hawkers, Pedlars and Petty Chapmen, an increase has taken place of £23 5s., the net amount from the 1st January to the 21st November last being £213 15s.

4th. That the Tonnage duty collected for the same period amounts to £79 4s. 6d., less £272 8s. 10½d. than the revenue arising from the same source for the preceding year. This diminution is to be attributed to the Acts passed during the last Session of Parliament, exempting all but foreign vessels from the payment of Tonnage Duty.

5th. That the revenue arising from Licenses to Auctioneers, and Duties on Sales at Auction, amount, from the 1st January, to the 21st November last, to £67 14s. 6½d. The Inspector General, on application by Your Committee, states that by some oversight the Report of the Collector for the Port of York was omitted in the account. The amount thereof is £40 2s. 9d., making the whole net amount £107 17s. 3½d. With the amount which will probably be collected for the remainder of the year, an increase will take place with the source of the Provincial Revenue. The Inspector General has estimated the probable receipts for the remainder of the year on the three last heads at £75.

6th. That No. 10 of the Public Accounts contains a general statement of the Receiver General's receipts and payments between the 1st day of January and 30th June, 1821, inclusive, by which it appears that the amount paid into the Public Treasury during that period is £11,387 9s. 10¼d., including therein the sum of £5,555 11s. 1½d. received from the Commissary General as an advance to carry on the Public Service, to be repaid out of the proportion of duties collected at the Port of Quebec, and accruing to this Province since the 1st July, 1819. From this statement it also appears that the sum of £8,757 19s. 2¼d. has been expended, leaving a balance in the Receiver General's hands on the 30th June last of £2,629 10s. 6d.

7th. That No. 11 of the said Accounts contains a statement similar to the last, from the 1st July to the 21st November last, inclusive, showing a receipt of £36,530 3s. 7½d. in the Treasury, including the balances in hand, as stated in account No. 10, £2,689 10s. 8d., and also the sum of £12,777 15s. 6½d., received from the Commissary General for the same purpose, and to be repaid in the same manner as the sum already mentioned to have been advanced by him, and also including the sum of £20,000, borrowed under the sanction of the Act, passed during the last Session of Parliament, for the payment of the arrears due to Militia Pensioners. By this statement, it appears that £9,871 14s. 0d. remained in the Receiver General's hands on the 21st November last, £28,287 19s. 6½d. having been expended, including in this sum the Receiver General's Poundage, amounting to £1,130 13s. 11d. on the moneys passing through his hands during the last mentioned period. Your Committee beg leave to observe that from Statements Nos. 10 and 11 it appears the Receiver General's Poundage, from the 1st January to the 21st November last, amounts to £1,500 1s. 11¾d.

From the foregoing part of the Report of Your Committee, Your Honorable House will observe that a decrease of £1,124 13s. 7¾d. will probably take place in the Internal Revenue of the Province, although it appears, upon a comparison of the receipts of the Receiver General for the last and present years, that the greater sum has been received by that Officer during the current year. Your Committee can only account for this apparent inconsistency by considering a great portion of such receipts to consist of arrears due from former years, which are not distinguished from the amount of the revenue accruing and paid in during the present year. This diminution of the Internal Revenue of the Province Your Committee ascribe to the general depression of trade and agriculture, arising from the want of a ready market for our surplus agricultural products.

8th. That Nos. 12 and 13 contain abstract accounts of Warrants, issued in conformity to the laws and usages of this Province, between the 1st January and 21st November last.

Your Committee has received from the Inspector General a detailed account of payment made to defray the expenses of the Civil Administration of the Government of this Province, from the appropriation made at the last session of Parliament for that purpose, between the 1st January and the 21st November last.

9th. No. 14 contains a Schedule of Payments, made to the Receiver General between the 1st July and 21st November last, by Inspectors and Collectors, from which it appears that during that period the sum of £3,069 13s. 7¼d. has been paid into the Provincial Treasury, of which £390 is the amount of the Crown Duty arising from the Statute 14th Geo. 3rd.

10th. No. 15 contains a Schedule of the Appropriations by sundry Statutes and Estimates for the year 1822, amounting to £31,181 13s. 3½d., which appears to Your Committee to be perfectly correct, with the exception of the estimate for the Contingencies of the Adjutant General's Office, amounting to £450. By the detailed account of the Adjutant General's Contingencies, laid before Your Committee, at their request, by the Inspector General, it appears that two shillings and sixpence per day has been added to the allowance of a Clerk; and a Messenger at £50 per annum has been also attached to that office, by order of His Excellency the Lieutenant Governor, dated 21st May, 1821. The amount of £555 11s. 1d., appropriated by the Act, passed in the 56th year of His late Majesty's Reign, chap. 35, for the payment of a Provincial Agent, may most probably be deducted, that office having become vacant by the decease of William Halton, Esquire.

11th. No. 16 contains the Estimate for the year 1822, for the support of the Civil Administration of the Government, amounting to £7,270.

The resources to meet the payment of this sum, as stated therein, amounting to £4,989 10s. 0d., leaves to be provided by the Legislature at its present Session the sum of £2,280 10s. 0d., £2,216 10s. 0d. less than the sum appropriated last year.

12th. No. 17 contains an Abstract of sums payable to complete the service of the year 1821, by which it appears that £11,751 are required for that purpose, to meet which there remains in the hands of the Receiver General on the 21st November last £987 14s. 9d., and the probable receipts therein anticipated on account of duties and licenses to the 31st December will make up the balance £1,880 9s. 0d.

13th. No. 18 contains an account of moneys outstanding in the hands of Collectors and Inspectors on the thirtieth June last, amounting to £3,824 8s. 11¾d. currency, of which it appears by account No. 14 that the sum of £3,069 13s 7¼d. has been paid into the Receiver General's hands up to the 21st November. The Crown Duty under the 14th Geo. 3rd, on the amount paid as above stated is £390, and the balance which appears to be in the hands of Collectors and Inspectors for moneys collected up to the 30th June last amounts to £754 14s. 4½d., supposing the sum paid in since that period to be wholly on account of arrears.

By a statement from the Inspector General at the request of Your Committee, it appears that £1,311 6s. 1d. has been paid into the Receiver General's hands between the 21st November and the 12th December instant, and that the balances outstanding in the hands of Inspectors and Collectors on the latter day was £1,736 10s. 5½d.

The appropriation, etc., as stated in account No. 15, deducting the salary to a Provincial Agent, amounts to £31,626 2s. 2½d., to meet which Your Committee

cannot safely calculate the receipt of revenue from any sources than the following, viz.:—

1st.	From Licenses to Shop-keepers	£3,500
2nd.	Duties on Importations, from the U.S.,	2,100
3rd.	Licenses to Hawkers, Pedlars, etc.	300
4th.	Licenses to Auctioneers, and Duties on Goods sold by Auction	100
5th.	Light-house duties, deducting the expenses of Light-house..	100
6th.	Amount paid into the hands of the Receiver General between the 31st November and 12th December, as reported by Inspector General	1,300
7th.	Probable receipt of arrearages	1,700
		£9,100

leaving unprovided for the sum of £22,526 2s. 2½d.

From the present state of affairs with Lower Canada Your Committee cannot, of course, anticipate the immediate receipt of any part of our revenue from that Province.

JONAS JONES, *Chairman.*

Commons House of Assembly, 17th December, 1821.

Mr. Jones, of Grenville, seconded by Mr. VanKoughnet, moves that the Report of the Committee of Finance be referred to a Committee of Supply. Which was ordered.

Mr. Attorney General gives notice that he will move on Thursday next that the House do resolve itself into a Committee of Supply.

Mr. Ruttan, from the Committee to whom was referred the Petition of John White, informed the House that the Committee had agreed to report by Bill for his relief, which he was ready to submit whenever the House would be pleased to receive the same. Ordered, that the Report be received, and the Bill was read the first time.

Mr. Ruttan, seconded by Mr. Wilmot, moves that the Bill authorizing John White to be placed upon the Pension List of this Province be read a second time to-morrow. Which was ordered.

Mr. Ruttan, from the Committee on Boundary Lines, to whom was referred the Petition from the Inhabitants of the Township of Osnabruck, respecting the Boundary Lines of said Township, informed the House that the Committee had agreed to report by a Bill for the relief of the Petitioners, which he was ready to submit whenever the House would be pleased to receive the same. Ordered, that the Report be received, and the Bill was read the first time.

Mr. McLean, of Stormont, seconded by Mr. Ruttan, moves that the Bill to establish the division line between the Second and Third Concessions of Osnabruck be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Heir and Devisee Bill was read the second time.

Mr. McLean, of Stormont, seconded by Mr. Ruttan, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Bill to afford relief to persons entitled to claim lands in this Province under titles derived from Heirs, Devisees or Assignees of the Original Nominees of the Crown. Which was carried, and Mr. Morris took the Chair of the Committee. The House resumed. Mr. Morris reported the Bill as amended. Ordered, that the Report be received.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to repeal an Act, passed in the fifty-sixth year of His late Majesty's Reign, intituled An Act for granting to His Majesty a sum of money and to provide for the appointment of a Provincial Agent for this Province," the Bill intituled "An Act to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor, in pursuance of an Address of the Commons House of Assembly," and the Bill intituled "An Act to remunerate the Commissioners appointed to treat on behalf of this Province with the Commissioners of Lower Canada on the subject of our Commercial relations with that Province," all of which they had passed without amendment.

Mr. McLean, of Stormont, seconded by Mr. Gordon, moves that the Bill to afford relief to persons entitled to claim lands in this Province under Titles or Assignments derived from the Heirs, Devisees or Assignees of the Original Nominees of the Crown be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Report of the Select Committee, relative to the Post Office Establishment in this Province, Mr. Bostwick in the Chair. The House resumed. Mr. Bostwick reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House. Ordered, that the Report be received, and it was

Resolved, that the Report of the Select Committee on the Post Office be referred back to said Committee for revision, and that they do report thereon anew.

Mr. Secretary Hillier brought down from His Excellency, the Lieutenant Governor, a message, and having withdrawn, the Speaker read the same as follows:

P. MAITLAND.

The Lieutenant Governor in transmitting to the Commons House of Assembly the Memorial of the Adjutant General of Militia thinks fit to remark that upon a strong representation by that officer the existing establishment of his office was entirely inadequate to the discharge of duties which had accumulated from a variety of causes, it has been found necessary to allow some addition to the contingencies. The Lieutenant Governor, has, however, repeated his injunction that these should be restrained within the most moderate bounds.

Although the Lieutenant Governor is not insensible to the difficulties under which the Provincial Revenue now labours, he cannot but observe how little commensurate is the provision for the Adjutant General since the expiration of the last Statute, either in the personal support of that officer or the respectability of the situation, and he therefore recommends that the House should take into consideration the expediency of renewing the Act which has been suffered to expire.
Government House, 18th December, 1821.

To His Excellency, Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, etc.

The Memorial of Colonel N. Coffin, Adjutant General of Militia, in the Province of Upper Canada,

Most Humbly Showeth: That Your Excellency's Memorialist was appointed Adjutant General of the Militia and filled that office with a salary of three hundred and sixty-five Pounds, until the 21st March, 1820, when an Act granting part of that salary expired, and Your Memorialist, under a great accumulation of duty, from the rapid growth of the Province and augmentation of its Militia, together

with other duties never before required of his Department, has received only a salary of one hundred and eighty pounds, Sterling, not equal to the salaries of Clerks in either Department or Office in this Province.

Under such circumstances Your Memorialist humbly prays that he may receive from the said 21st March, 1820, such a permanent salary as the wisdom and justice of Your Excellency may deem consistent for the respectable maintenance of a person discharging the duties of an Officer of such high trust and responsibility.
York, December 10th, 1820. N. COFFIN.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Message of his Excellency, the Lieutenant Governor, of this day, respecting the office of Adjutant General, be referred to a Committee of Supply. Which was ordered.

Dr. Baldwin, seconded by Mr. Jones of Leeds, moves that Mr. Nichol be added to the Select Committee on the Post Office inquiry. Which was ordered.

Agreeably to the order of the day, the Bill relating to the Trustees of the late William Weekes' Estate was read the second time. Dr. Baldwin, seconded by Mr. Baby, moves that the House do now resolve itself into a Committee of the Whole on the Bill for the appointment of Trustees to the Will of the late William Weekes, Esquire. Which was carried, and Mr. Rogers took the Chair of the Committee. The House resumed. Mr. Rogers reported progress, and obtained leave to sit again to-morrow.

Mr. Walsh, from the Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to repeal part of and amend the laws now in force relative to the Registering of Deeds, and other Instruments of Conveyance in this Province," and to request their concurrence thereto, reported they had done so.

Mr. Robinson, from the Committee to wait upon His Excellency, the Lieutenant Governor, with the Address of this House relative to Public Accounts, and to deliver the same, reported they had done so, and that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly: I shall give directions that the papers referred to in your Address be prepared, in order that they may be laid before you at an early day in the next Session of the Provincial Parliament, and that in the mean time no diligence be omitted to enforce payment of such arrearages as are due to the Public.

Mr. Hamilton of Lincoln gives notice that he will, on Thursday next, move for leave to bring in a Bill to authorize the Inhabitants, Householders, at their Town Meetings to appoint two or more Church Wardens in the respective Townships, or other officers.

Mr. Robinson, from the Committee to whom was referred the Petition of Ferdinand Vansickler, informed the House that the Committee had agreed to report by a Bill, which he was directed to submit whenever the House would be pleased to receive the same. Ordered, that the Report be now received, and the Bill was read the first time.

Mr. Robinson, seconded by Mr. Wilmot, moves that the Bill to authorize the Commissioners of the Home District to establish another Market in the Town of York, be read a second time on to-morrow. Which was ordered.

Mr. Jones of Grenville gives notice that he will on to-morrow move that the Chaplain of this House have a week's leave of absence.

Mr. Attorney General gives notice that he will move to-morrow that it be resolved that this House do Address His Excellency, the Lieutenant Governor, to

inform him that they will not fail to take into consideration His Excellency's Message of this day, respecting the Office of Adjutant General of Militia.

Mr. Willson of Wentworth, seconded by Mr. Pattie, moves that the Petition of David Tuttle of the District of Gore be referred to a Select Committee, and that Messrs. Nichol, Horner and Hamilton of Wentworth do compose the said Committee, and that they have power to send for persons and papers, and leave to report by Bill or otherwise. Which was ordered.

Mr. Morris gives notice that he will on to-morrow move that the Speaker do instruct the Serjeant at Arms to employ a person to line the seat in the Protestant Episcopal Church set apart for the use of the Members of this House.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 19th December, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Heir and Devisee Bill was read the third time.

Mr. McLean of Stormont, seconded by Mr. Hamilton of Lincoln, moves that the Heir and Devisee Bill do now pass, and that it be intituled "An Act to enable persons entitled to claim lands in this Province under Titles or Assignments derived from the Heirs, Devisees or Assignees of the Original Nominees of the Crown, to obtain Patents for such lands." Which was carried, and the Bill signed.

Mr. McLean of Stormont, seconded by Mr. Jones of Grenville, moves that Messrs. Ruttan and Gates be a Committee, to carry up to the Honorable the Legislative Council the Heir and Devisee Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Methodists Relief Bill was read the second time. Mr. Casey, seconded by Mr. Walsh, moves that the House do now resolve itself into a Committee of the Whole on the Methodist Relief Bill. Which was carried, and Mr. Gates took the Chair of the Committee. The House resumed. Mr. Gates reported progress, and obtained leave to sit again to-morrow.

Agreeably to the order of the day, the Revenue Law Amendment Bill was read the second time. Mr. Hagerman, seconded by Mr. Jones of Leeds, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Revenue Law Amendment Bill. Which was carried, and Mr. Robinson took the Chair of the Committee. The House resumed. Mr. Robinson reported progress, and obtained leave to sit again to-morrow.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that it be resolved that an Address be presented to His Excellency, the Lieutenant Governor, to assure him that this House will not fail to take into consideration His Excellency's Message respecting the office of Adjutant General. Which was carried.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that Messrs. McLean of Stormont and Ruttan be a Committee to prepare the said Address. Which was ordered.

Mr. Attorney General, from the Committee to draft an Address to His Excellency, the Lieutenant Governor, in reference to His Excellency's Message relative to the Adjutant General of Militia, reported a draft, which was received and read the first time.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Address to His Excellency, the Lieutenant Governor, in answer to His Excellency's

Message respecting the office of Adjutant General, be now read a second time, and that the fifth Rule of this House be dispensed with as far as regards the said Address. Which was ordered, and the Address was read the second time.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the House do now resolve itself into a Committee upon the Address to His Excellency, respecting the office of Adjutant General. Which was carried, and Mr. Morris took the Chair of the Committee. The House resumed. Mr. Morris reported the Address without amendment. Ordered, that the Report be received.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Address to His Excellency, the Lieutenant Governor, in answer to His Excellency's Message respecting the Office of Adjutant General, be engrossed, and read a third time this day. Which was ordered.

Agreeably to the order of the day, the Bill for the Relief of John White was read the second time.

Mr. Ruttan, seconded by Mr. McLean of Stormont, moves that the House do now resolve itself into a Committee of the Whole on the Bill granting relief to John White. Which was carried, and Mr. Jones of Leeds took the Chair of the Committee. The House resumed. Mr. Jones reported progress, and obtained leave to sit again to-morrow.

Agreeably to order, the Address to His Excellency, the Lieutenant Governor, relating to the Adjutant General, was read the third time, passed, and signed by the Speaker as follows:

To His Excellency, Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc. May it please Your Excellency: We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly thank Your Excellency for Your Message, respecting the office of Adjutant General of Militia, and assure Your Excellency that this House will not fail to give the same their immediate consideration.

Commons House of Assembly,

19th December, 1821. Levius P. Sherwood, Speaker.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that Messrs. Morris and Bostwick be a Committee, to wait upon His Excellency, the Lieutenant Governor, to know when His Excellency will be pleased to receive the Address of this House in answer to His Message respecting the office of Adjutant General, and to present the same. Which was ordered.

Mr. Nichol gives notice that he will on to-morrow move that it be resolved that the Resolution of this House during the present Session, providing for the appointment of a Stenographer to report the debates thereof, being a temporary measure, and not founded on Parliamentary usage or precedent, shall not be considered a precedent for future practice, or quoted as such.

Mr. Willson of Wentworth gives notice that he will on Friday next move that an Address be presented to His Excellency, the Lieutenant Governor, requesting he would be pleased to direct the Attorney General to prosecute the securities of Daniel Spilman for the recovery of the sum of £500, granted by two Acts of the Legislature of this Province, for the purpose of building a Bridge across the Grand River, the said Daniel Spilman having failed in the contract entered into for that purpose.

Mr. Jones of Grenville, seconded by Mr. Rogers, moves that Mr. Morris,

Member for the County of Carleton, have leave of absence after the twenty-fifth instant during the remainder of the present Session, and that the Rule of this House requiring a day's notice, so far as relates to this motion, be dispensed with. Which was granted.

Mr. Attorney General gives notice that he will move to-morrow for leave to bring in a Bill to amend an Act, passed in 1819, for incorporating a Provincial Bank in this Province.

Mr. Nichol gives notice, that he will move on Friday next, that it be resolved that an humble Address be presented to His Excellency, the Lieutenant Governor, praying him to direct the several Proclamations issued by the late Lieutenant Governor, John Graves Simcoe, Esquire, one inviting Americans to become settlers in this Province, and the other for dividing the Province into Counties and Districts, to be laid before this House.

The House then adjourned till 10 o'clock to-morrow.

Thursday, 20th December, 1821.

The House met. The minutes of yesterday were read.

Mr. Willson of Wentworth, seconded by Mr. Hamilton of Wentworth, moves for leave to bring up two Petitions of the Episcopal Methodists in this Province. Which was granted, and the Petition brought up.

Mr. Crooks, seconded by Dr. Baldwin, moves for leave to bring up the Petition of Maria Grace. Which was granted, and the Petition brought up.

Mr. Robinson, seconded by Dr. Baldwin, moves for leave to bring up the Petition of Peter Miller, a disabled Militiaman, of the Home District, praying to be admitted on the Militia Pension List. Which was granted, and the Petition brought up.

Mr. Hagerman, seconded by Mr. Burwell, moves for leave to bring up the Petition of Thomas Markland and others, of the Town of Kingston. Which was granted, and the Petition brought up.

Mr. Jones of Leeds, seconded by Dr. Baldwin, moves for leave to bring up the Petition of Henry A. Delamotte and John and James Howard, of the Township of Leeds. Which was granted, and the Petition brought up.

Agreeably to order, the Petition from Adam Dixon, praying for remuneration for building Locks at the Moulinette Rapids; and the Petition from Edward Oates, praying to be released from paying entrance and clearance duties for his Vessel, were read.

Mr. VanKoughnet, seconded by Mr. Jones, moves that the Petition of Adam Dixon be referred to a Select Committee, and that Messrs. McLean of Stormont, McMartin and Shaver compose the said Committee, with power to send for persons and papers, and to report by Bill or otherwise. Which was ordered.

Dr. Baldwin, seconded by Mr. Randal, moves that the Petition of Edward Oates be referred to a Committee, to report thereon, and that Messrs. Crooks and Robinson do compose such Committee. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Bill relative to the Estate of the late Mr. Weekes, Mr. Rogers in the Chair. The House resumed. Mr. Rogers reported the Bill as amended. Ordered, that the Report be received.

Dr. Baldwin, seconded by Mr. Gordon, moves that the Bill for the appointment of Trustees to the Will of William Weekes be engrossed, and read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Bill for establishing a second Market in the Town of York, was read a second time.

Mr. Robinson, seconded by Dr. Baldwin, moves that the House do now go into Committee of the Whole, to take into consideration the Bill to establish another Market in the Town of York. Which was carried, and Mr. Pattie took the Chair of the Committee. The House resumed. Mr. Pattie reported the Bill as amended. Ordered, that the Report be received.

Mr. Robinson, seconded by Dr. Baldwin, moves that the Bill to establish another Market in the Town of York be engrossed, and read a third time on to-morrow. Which was ordered.

Agreeably to notice, Mr. Jones of Grenville, seconded by Mr. VanKoughnet, moves that the Chaplain of this House have leave of absence for a week. Which was granted.

Agreeably to notice, Mr. Morris, seconded by Mr. McLean of Stormont, moves that it be resolved that the Pew appropriated in the Protestant Episcopal Church for the accommodation of the Members of the House of Assembly ought to be lined, and furnished with cushions, and that the Speaker of this House do order the Serjeant at Arms to cause the same to be done with as little delay as possible, and to charge the expense thereof in the contingent account of the present Session.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Bostwick, Hagerman, Crooks, Gordon, Robinson, Jones (Leeds), Jones (Grenville), McMartin, Morris, Hamilton (Lincoln), VanKoughnet, Gates, Ruttan, Wilmot, Kerr, Shaver, McDonell.

Nays: Messrs. Willson (Went.), Randal, Hamilton (Went.), Horner, Clark, White, Pattie, Walsh, Peterson, Chisholm, Bidwell, Casey, Rogers, Baldwin.

The question was carried by a majority of three, and ordered accordingly.

Agreeably to the order of the day, the Bill sent down from the Honorable the Legislative Council intituled "An Act to repeal part of and amend the laws now in force, respecting the practice of His Majesty's Court of King's Bench in this Province," was read the second time.

Mr. Crooks, seconded by Mr. Robinson, moves that this House do now resolve itself into a Committee of the Whole on the Bill sent down from the Honorable the Legislative Council intituled "An Act to repeal part of and amend the laws now in force respecting the practice of His Majesty's Court of King's Bench in this Province." Which was carried, and Mr. Walsh took the Chair of the Committee. The House resumed. Mr. Walsh reported progress, and obtained leave to sit again to-morrow.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to repeal in part a certain part of an Act, passed in the forty-third year of His late Majesty's Reign, intituled An Act to extend the provisions of an Act passed in the thirty-fourth year of His Majesty's Reign, intituled An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large, and further to enable the Magistrates in their respective Districts in this Province, in General Quarter Sessions assembled, to make such rules and regulations as may restrain Swine running at large in the respective Towns of this Province where a Police is or may hereafter be established by law," and the Bill intituled "An Act to extend the powers of the District Courts in this Province," which the Honorable Legislative Council had passed, and recommended to the adoption of this House.

Also the Bill sent up from this House, intituled "An Act to repeal the laws now in force granting Poundage to the Receiver General of this Province, and to provide a Salary for that Officer in lieu of such Poundage," which they had passed without amendment,

And the Bill intituled "An Act to repeal part of and amend an Act, passed in the fiftieth year of His late Majesty's Reign, intituled An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose, and also to extend the provisions of the said Act, and also an Act, passed in the fifty-ninth year of His late Majesty's Reign, intituled An Act to repeal part of and amend the laws now in force for laying out, amending and keeping in repair the Public Highways and Roads in this Province," which they had passed with some amendment, and which they recommended to the adoption of this House.

The amendments made by the Honorable the Legislative Council to the Road Amendment Bill were then read as follows:

In the Title, line 8, after "Province" insert "And also an Act, passed in the fifty-sixth year of His late Majesty's Reign, intituled An Act to repeal and amend part of an Act, passed in the fiftieth year of His Majesty's Reign, intituled An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose."

Press. 1, Line 8. After "Province" insert "and also an Act, passed in the forty-sixth year of His late Majesty's Reign, intituled An Act to repeal and amend part of an Act, passed in the fiftieth year of His Majesty's Reign, intituled An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose."

Press. 4, line 5. After "nature" insert "And be it further enacted by the authority aforesaid that the provisions of an Act, passed in the fifty-sixth year of His late Majesty's Reign, intituled An Act to repeal and amend part of an Act, passed in the fiftieth year of His Majesty's Reign intituled An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose," Providing, that every male inhabitant from the age of twenty-one years to fifty, not rated on the assessment for any Town, Township or Place within this Province, shall be compelled to work on the Highways three days in every year within the Township, Town or Place he may reside in under the same penalty as is imposed by any Act on persons rated on the assessment list, in case any person shall remove from one Township into another, the overseer of the Highways shall grant him a certificate of the labour he has performed, to prevent his being called on again in another Township during the same year, shall be, and the same is hereby repealed."

Mr. Crooks, seconded by Mr. Jones of Grenville, moves that the amendments made by the Honorable the Legislative Council to the Road Amendment Bill, sent up from this House, be read a second time to-morrow. Which was ordered.

The Bill sent down from the Honorable the Legislative Council, intituled "An Act to extend the powers of the District Courts in this Province," was then read the first time.

Mr. Jones of Grenville, seconded by Mr. Rogers, moves that the Bill intituled "An Act to extend the powers of the District Courts in this Province," be read a second time to-morrow. Which was ordered.

The Bill, sent down from the Honorable the Legislative Council, intituled "An Act to repeal in part a certain part of an Act, passed in the forty-third year

of His late Majesty's Reign, intituled An Act to extend the provisions of an Act, passed in the thirty-fourth year of His Majesty's Reign, intituled An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at Large, and further to enable the Magistrates in their respective Districts in this Province, in General Quarter Sessions Assembled, to make such rules and regulations as may restrain Swine running at large in the respective Towns in this Province where a Police is or may hereafter be established by law," was then read the first time.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that the Bill to repeal part of an Act to restrain the custom of Cattle running at large, sent down by the Honorable the Legislative Council, be read a second time on to-morrow. Which was ordered.

Agreeably to the order of the day, the Osnabruck Division Bill was read the second time.

Mr. McLean, of Stormont, seconded by Mr. Gates, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Bill for establishing the Division line between the Second and Third Concessions of the Township of Osnabruck in the Eastern District. Which was carried, and Mr. Hamilton of Wentworth took the Chair of the Committee.

The House resumed. Mr. Hamilton reported the Bill as amended. Ordered, that the Report be received. Mr. McLean, of Stormont, seconded by Mr. Jones, of Grenville, moves that the Osnabruck Division Bill be engrossed, and read a third time to-morrow. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Friday, 21st December, 1821.

The House met. The minutes of yesterday were read.

Mr. VanKoughnet, seconded by Mr. McLean, of Stormont, moves for leave to bring up the Petition of John Crysler, Esq., of Williamsburgh, which was granted and the petition brought up.

Mr. VanKoughnet, seconded by Mr. McLean of Stormont, moves that the petition of John Crysler, Esquire, of Williamsburg, be now read, and that the Sixth Rule of the House be dispensed with as far as relates to the same.

Which was agreed, and the Petition from John Crysler, praying that the percentage on collection of Duties may be allowed him, was read.

Mr. VanKoughnet, seconded by Mr. Gordon, moves that the Petition of John Crysler, Esquire, of Williamsburg, be referred to a Select Committee, and that Messrs. Attorney General, Jones, of Grenville, and McLean, of Stormont, compose said Committee, with power to send for persons and papers, and to report by Bill or otherwise. Which was ordered.

Agreeably to the order of the day, the Bill appointing Trustees to the Estate of the late William Weekes, Esquire, was read the third time.

Dr. Baldwin, seconded by Mr. Jones, of Leeds, moves that Weekes Trustee Bill do now pass, and that it be intituled "An Act to appoint Trustees to the Will of William Weekes, late of York, Esquire, deceased, to carry into effect the provisions thereof." Which was carried, and the Bill signed.

Dr. Baldwin, seconded by Mr. Jones, of Leeds, moves that Messrs. Willson, of Wentworth, and Wilmot be a Committee to carry up to the Honorable the Legislative Council the Bill appointing Trustees to the Estate of the late William Weekes, Esquire, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Osnabruck Division Bill was read the third time.

Mr. McLean, of Stormont, seconded by Mr. Ruttan, moves that the Osnabruck Division Bill do now pass, and that it be intituled "An Act to establish the Division Line between the Second and Third Concessions of the Township of Osnabruck, in the Eastern District." Which was carried, and the Bill signed.

Mr. McLean, of Stormont, seconded by Mr. Ruttan, moves that Messrs. Van-Koughnet and Shaver be a Committee to carry up to the Honorable the Legislative Council the Osnabruck Division Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the York Market Bill was read the third time.

Mr. Robinson, seconded by Mr. Crooks, moves that the Bill do now pass, and that it be intituled "An Act to authorize the Magistrates of the Home District, in General Quarter Sessions assembled, to establish another Market in the Town of York." Which was carried and the Bill signed.

Mr. Robinson, seconded by Mr. Hagerman, moves that Messrs. Gordon and Chisholm be a Committee, to carry up to the Honorable the Legislative Council the York Market Bill, and to request their concurrence thereto. Which was ordered.

Mr. Hagerman, from the Committee to whom was referred the Petition of Thomas Markland, Esquire, and others, of the Town of Kingston, praying for the incorporation of a Bank, informed the House that the Committee had agreed to report by Bill, a draft of which he was ready to submit to the House whenever they should think proper to receive it. Ordered, that the Report be now received, and the draft was read the first time.

Mr. Hagerman, seconded by Mr. Jones, of Leeds, moves that the Kingston Bank Bill be read a second time on Monday next. Which was ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Jones, of Grenville, moves that the House do now resolve itself into a Committee of Supply. Which was carried, and Mr. Peterson took the Chair of the Committee.

The House resumed. Mr. Morris, from the Committee to wait upon His Excellency the Lieutenant Governor, with the Address of this House, relative to the Adjutant General of Militia, reported they had delivered the same.

Agreeably to notice, Mr. Hamilton, of Lincoln, seconded by Mr. Morris, moves for leave to bring in a Bill authorizing the appointment of a greater number of Town and Church Wardens, Overseers of Highways, and Pound-keepers, in the several Districts in this Province. Which was granted, and the Bill read.

Mr. Hamilton, of Lincoln, seconded by Mr. Morris, moves that the Bill authorizing a greater number of Town or Church Wardens, Overseers of Highways and Pound-keepers, be read a second time on Wednesday next. Which was ordered.

Agreeably to the order of the day, the House went again into Committee on the Methodists' Relief Bill, Mr. Gates in the Chair. The House resumed. Mr. Gates reported progress, and obtained leave to sit again to-day.

The House then adjourned till three o'clock p.m. At three o'clock the House met pursuant to adjournment.

Mr. Rogers gives notice that he will on to-morrow move for leave of absence during the remainder of this Session of Parliament.

The House then adjourned till ten o'clock to-morrow.

Saturday, 22nd December, 1821.

The House met. The minutes of yesterday were read.

Agreeably to order, the Petition from the Methodist Episcopal Church and their Friends in this Province, praying that the privilege of Solemnizing Marriages may not be withheld from their Ordained Ministers; Petition No. 30, on the same subject; the Petition from Maria Grace, praying that the property of the late Oliver Grace, forfeited by Treason committed by Oliver Grace the younger, may be restored to her; the Petition of Peter Miller, late a Private in the Third Regiment York Militia, praying to be put upon the Pension List; the Petition from the Inhabitants of the Town of Kingston, praying that an Act may be passed, authorizing importation of certain Dye Stuffs from the United States of America; and the Petition from Henry A. Delamaitre and others, praying that a certain Dam constructed by them across the Gananoque River may be authorized by law to stand and remain in the situation in which it was constructed, were read.

Dr. Baldwin, seconded by Mr. Jones, of Leeds, moves that the Petition of Maria Grace be referred to a Select Committee, and that Messrs. Jones, of Grenville, Crooks and Hagerman be a Committee for that purpose, and to report by Bill or otherwise. Which was lost.

Agreeably to notice, Mr. Rogers, seconded by Mr. Bidwell, moves that he have leave of absence during the remainder of this present Session of Parliament, his public duty requiring his attendance in the District of Newcastle. Which was granted.

Mr. Gordon, seconded by Mr. Jones, of Leeds, moves that the Petition of Peter Miller be referred to a Select Committee, and that Messrs. Robinson, VanKoughnet and Walsh do compose said Committee, to report thereon by Bill or otherwise. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Methodist Relief Bill, Mr. Gates in the Chair. The House resumed. Mr. Gates reported the Bill as amended. Ordered, that the Report be received.

Mr. Casey, seconded by Mr. Bidwell, moves that the Methodists' Relief Bill be engrossed, and read a third time on Monday next. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Revenue Bill, Mr. Casey in the Chair. The House resumed. Mr. Casey reported progress, and obtained leave to sit again on Wednesday next.

Mr. Secretary Hillier brought down from His Excellency, the Lieutenant-Governor, a Message, with a Report from the Commissioners who were appointed to superintend the erection of a monument to the memory of the late Sir Isaac Brock, and having withdrawn, the Speaker read the same as follows:

P. Maitland.

The Lieutenant-Governor transmits to the House of Assembly the copy of a Report, which has been submitted to him by the Commissioners for erecting a Monument to the Memory of the late Sir Isaac Brock.

Being anxious that the work should do justice to the public sense of the highly efficient services, and at the same time aware of the limited and embarrassed state of the Public Funds, the Lieutenant-Governor thinks it right, under the peculiar circumstances of the occasion, to suggest for the consideration of the House of Assembly how far it may be proper to remove any obstacle to the augmentation of the fund at the disposal of the Commissioners, by sanctioning the adoption of the measure adverted to in the Report.

Should a proceeding of this effect be thought advisable by the Legislature, the Lieutenant Governor will have great pleasure in giving it his most cordial concurrence and support.

Government House, 22nd December, 1821.

Report of the Commissioners appointed, under the authority of an Act of the Parliament of Upper Canada, passed in the 55th year of the Reign of George 3rd, intituled "An Act to provide for the erection of a Monument to the Memory of the late President, Major-General Sir Isaac Brock."

To His Excellency, Sir Peregrine Maitland, K.C.B., Lieutenant-Governor of the Province of Upper Canada, and Major-General commanding His Majesty's Forces therein, etc.

The Undersigned Commissioners beg leave most respectfully to report to Your Excellency that on their first appointment they experienced much embarrassment from one of their number being absent from the Province, and from want of Artists or other competent persons to advise with on the spot. They were therefore constrained to have recourse to Great Britain for information; accordingly a letter, of which a copy marked "A" is annexed, was written to one of the brothers of the deceased Sir Isaac, and at the same time one of a similar tendency was written to Thomas Clark, Esquire, which last, however, arrived too late, as he was on his voyage to this country, soon after the passing of the Act. No answer having been received from Mr. Brock, the undersigned again wrote him in December, 1815, and requested his early notice of their communication, but they did not hear from him on the subject till July, 1817, when the papers marked "B," "C," "D," "E," "F," "G," were by another brother of the deceased Sir Isaac delivered to Thomas Dickson, Esquire, one of the undersigned, at Queenston.

On the receipt of these papers, which for the first time gave them some idea of the inadequacy of the sum granted, the undersigned were compelled to pause. They at one time had resolved to open a subscription to defray the additional expense it might be found necessary to incur in completing the proposed monument on a scale and in a style corresponding with the exalted character and eminent public service of the illustrious and distinguished officer whose memory was thereby intended to be perpetuated, but on reconsidering the subject they were apprehensive that as public Commissioners, acting under the solemn authority of a Parliamentary enactment, it would be construed into an indelicate assumption of power, as well as a reflection on the Legislature of the Province, should they resort to an appeal to the private sympathies of the people for the means to give effect to a public Act of the Government.

The undersigned preferred submitting to the personal obloquy they knew they would incur by delay, to the gratification they would have derived from being enabled from a fund in every other respect so honourably raised to erect a splendid memorial of the very high public and private estimation in which the character and services of the deceased were held by the Government and inhabitants of the Province.

Having, for the reasons above stated, forborne from proposing a subscription, and having been deterred by the embarrassments of the Provincial Revenue from applying to the Legislature for additional means to enable them to complete in a suitable manner this interesting Public Work, the undersigned have hitherto postponed commencing it; for though the fund, which was at first one thousand pounds,

has accumulated to fifteen hundred, and though the value of labour and materials has very considerably decreased, still the undersigned are of opinion that their means are inadequate to the erection of such a monument as would satisfy the expectations and grateful feelings of the Province, or do justice to the character and actions of the deceased.

The undersigned have no personal motives for delaying to a longer period the accomplishment of this work. They are preparing for an early commencement during the ensuing season and on a scale corresponding with their means. They have ascertained that durable materials are to be had in abundance in the immediate neighborhood, and workmen may be obtained from Kingston and Montreal, and though the undersigned would have been gratified to have had more ample funds for this undertaking, they hope by a faithful application of those at their disposal to raise a solid and durable, if not an elegant, monument of the gratitude of the Province.

Two plans have suggested themselves to the undersigned, on which they have not yet decided. The first a high tower, to be placed in a conspicuous situation on the Heights above Queenston, in which the remains of the late President and Major-General might be securely deposited, as in a Mausoleum. The second, a monumental column resembling that erected to the memory of Lord Nelson, in Montreal, surmounted with a funeral urn, and whichever may be adopted to be furnished with suitable inscription.

The first, being a larger and conspicuous object, with a vault underneath, would perhaps be deemed a more appropriate testimonial of the strong feeling of veneration for the memory of the deceased entertained by the Government and Province, and, if the means are sufficient, will in all probability be preferred. Mr. Nichol, however, one of the undersigned, will have the honour of waiting upon Your Excellency with this report, and will explain to Your Excellency in their behalf how desirous they are to conform themselves in every respect to the wishes of your Excellency respecting it. The sketch sent out from England, as an illustration of the estimate referred to in the Report, he takes with him. All of which is most respectfully submitted.

Thomas Clark, Robert Nichol, Thomas Dickson, *Com'rs.*

Niagara Falls, Dec'r 1st, 1821.

Certified, (Signed) G. Hillier.

A

Copy.

York, March 17th, 1815.

Sir: This will inform you that the Legislature of Upper Canada, at its last Session, appropriated the sum of a thousand pounds Currency, or nine hundred Pounds Sterling, for the erection of a monument to the memory of their late President, Major-General Sir Isaac Brock, and that a Mr. Dickson, Lieutenant-Colonel Clark (now in England), and myself are the Commissioners for carrying the provisions of the Act into effect. The whole amount, which will probably be increased by the rate of exchange, will be remitted to the House of Messrs. Gillespies, Gerrard & Co., of London, and in the meantime the Commissioners are desirous of receiving your friendly assistance in procuring a design and estimate of the expense. It is their desire that the monument should do perfect justice to the character of the late lamented General, both in respect to his civil administration and Military Command,—one which shall convey to posterity with the fame of

his great actions the estimation in which he was held by all ranks in this Province, their gratitude for his distinguished services and sorrow for his untimely fall.

It is also their wish that the inscription should resemble his own character, dignified, simple and unostentatious, and be in the English language.

It is by no means the intention of the Commissioners to confine themselves to the limited sum expressed in the grant, as there are numerous personal friends of the late Sir Isaac who are desirous of contributing to this laudable work, and it would be hard to deprive them of this opportunity of testifying their respect for his memory.

I am therefore to desire that the monument be designed on a respectable scale. Magnificent, I fear, we cannot make it, though, comparatively speaking, it may be so.

The idea that has struck Mr. D. and myself is that there should be a statue of the General on the top of a monumental column, with appropriate ornaments and inscriptions on the pedestal.

Should Lieutenant-Colonel Clark be still in England, he will, of course, see you and be consulted. He is so well acquainted with our sentiments on every subject connected with the late Major-General Sir Isaac Brock,—knows so well those of the whole Province, and we are so well acquainted with his, that the other Commissioners have no hesitation in saying that his ideas may be considered as their own.

I beg to hear from you in time to communicate your answer to the House of Assembly at its next Session, and have the honour to be, with sincere respect, Sir,

(Signed) ROBERT NICHOL.

Wm. Brock, Esqr., London.

Certified, (Signed) G. HILLIER.

B.

London, 6th May, 1817.

Sir: Your obliging favour of the 17th March, 1815, in triplicate, and original letter of the 14th Decr. following, have been received. The family of my ever to be lamented brother, Sir Isaac Brock, has heard with grateful pride that the Legislature of Upper Canada has so liberally appropriated a sum of money for the erection of a monument to his memory, and that yourself, with Mr. Dickson and Colonel Clark, were appointed Commissioners for carrying the provisions of the Act into effect.

Mr. Westmacotte, one of the Royal Academicians, has been consulted, and I enclose his remarks and estimates, to which I beg to refer you, as well as to the drawing of a plan, which the bearer, my brother, Mr. John Savary Brock, will have the honour to deliver to you. It was intended also to have forwarded to you a model in clay, but as my brother will be enabled to give you every explanation, we have thought it unnecessary to send it to you.

It had been my duty to send you these estimates before this time, but they are of themselves so extravagant that I did prefer delaying it until my brother had decided on his visit to Upper Canada, that he might *viva voce* explain to you how much the family would prefer that some plain and neat tablet should be erected, either in one of the Churches or House of Assembly, with a short inscription composed by yourself.

I shall refer you to my brother, briefly adding that I join most cordially with the family in all the acknowledgments which he will have to offer you.

I have the honour to be, Dear Sir, Your most obedient humble servant,

(Signed) WILLIAM BROCK.

Lt.-Colonel Nichol, etc.

Certified, (Signed) G. HILLIER.

C

Sir: I have the pleasure with this to send you a sketch of Sir Isaac Brock's statue, which will, I think, sufficiently convey to the gentlemen upon the Committee the effect of the small model. I should wish, if it were practicable, that the drawing should be sent to America flat as at present.

I have also enclosed estimates to two scales, as much will depend upon situation and other objects surrounding the work. I cannot very well determine which dimension will be preferred, but would think, if the area for the statue is from 80 to 100 feet square, that the eight-foot figure will be adopted, and should think, if you desire the great model to be forwarded this year, and which would undoubtedly expedite the work 18 months, that we may safely venture upon the eight-foot figure. I should by no means advise the lower plinths to be sent from England, if there is any stone of the country which would answer the purpose. The expense of the stone in itself is not an object, but even skeleton packing cases for such masses must raise the expense considerably. I have therefore said nothing of them in my estimate.

I have the honour to be, Sir, Your most obliged and obedient servant,

(Signed) RICHD. WESTMACOTTE,

Mount Street, Sep. 1816.

Certified, (Signed) G. HILLIER.

D

Estimate for a statue in honour of the late Major-General Sir Isaac Brock, K.B., from a model and drawing by Richd. Westmacotte, R.A.

The work proposed to be executed in bronze, the statue of principal figure to be a scale of eight feet in height, elevated on a pedestal and plinth of red granite, with a circular zoccato to the statue and Alto relievo in the pedestal, illustrating the capture of Detroit, executed also in bronze, with a circular wreath of laurel of the same material to the back of the die of the pedestal, will, including inscriptions, packing cases, and carriage to wharf, amount to the sum of five thousand five hundred pounds.

The Statue executed to the above scale would make the whole work, as shown in the drawing, eighteen feet six inches in height.

The statue executed of the same material to a scale of seven feet two inches in height, with every other part of the work as described in the foregoing estimate, making the whole work sixteen feet in height, will amount to the sum of two thousand pounds.

(Signed) RICHD. WESTMACOTTE.

24 Mount Street, Grosvr. Sq., September 25th, 1816.

Certified, (Signed) G. HILLIER.

E

His Royal Highness, the prince Regent, is fully aware of the severe loss which His Majesty's service has experienced in the death of Major General Sir Isaac Brock. This would have been sufficient to have clouded a victory of much greater importance. His Majesty has lost in him not only an able and meritorious officer, but one who in the exercise of his functions of Provisional Lieutenant-Governor of the Province displayed qualities admirably adapted to awe the disloyal, to reconcile the wavering and animate the great mass of the Inhabitants against successive attempts of the enemy to invade the Province, in the last of which he unhappily fell, too prodigal of that life of which his eminent services had taught us to understand the true value.

(Extract of a letter from Earl Bathurst to Sir George Prevost, Bart., 8th Dec., 1812.)

F.

THE
GOVERNMENT
AND
INHABITANTS
OF
UPPER CANADA
ERECTED THIS STATUE
IN HONOR OF
MAJOR GENERAL,
SIR ISAAC BROCK, K.B.

Certified, (Signed) G. Hillier.

G.

Major General Brock, with 700 troops, including Militia, and about 600 Indians, captured on the 16th August, 1812, Fort Detroit, when General Hull and 2,500 troops, with 33 pieces of Ordnance, surrendered Prisoners of War, for which service His Royal Highness was graciously pleased to appoint him an Extra Knight of the Most Honorable Military of the Bath. On the 13th October, 1812, the enemy made good their landing at Queenston. The General flew to the spot, and unfortunately, but gloriously fell in battle in the 43rd year of his age, at the head of a small body of Regular Troops, consisting of the Flank Companies of the 49th Regiment, whilst animating by his presence and gallantry, encouraging them (even after he had received the mortal wound, and was in the agonies of death) to sustain their position against a very superior force, thus conducing by so eminent an example of valor and self-devotion to the ultimate defeat and capture of the enemy.

Certified. (Signed) G. Hillier.

Mr. Nichol, seconded by Mr. Bostwick, moves that the Message of His Excellency, the Lieutenant Governor, be taken into consideration on Wednesday next. Which was ordered.

Mr. Attorney General, from the joint Committee of both Houses, to whom was referred the Report of Commissioners on the subject of Commercial Arrangements between this Province and that of Lower Canada, informed the House

that the Joint Committee had agreed to a Report, which he was ready to submit whenever the House would be pleased to receive the same. Ordered, that the Report be now received, and it was read as follows.

The Committee appointed by the Honorable the Legislative Council and House of Assembly, to consider and report upon the subject matter of certain Resolutions of the House of Assembly, in which the Honorable the Legislative Council have concurred, respecting the Financial Concerns of this Province with Lower Canada, have, pursuant to the order of both Houses, united together, and examined the matter to them referred, and have agreed on the following Report:

Your Committee, desirous of bringing at once to the view of both Houses everything that may tend to the clear understanding of the matter referred to them, without going unnecessarily into detailed calculations, which it cannot be material at present to consider, deem it right, although such an account must necessarily extend itself to a considerable length, to trace distinctly the history of our intercourse with the Province of Lower Canada, to state the cause and consequences of the difficulties which at present obstruct the receipt of our Revenue from that Province, and to offer such suggestions as occur to them upon the appeal which it has been resolved to make to the interference of Our Parent State.

In the 14th year of His late Majesty's Reign, when the limits of the Province of Quebec were extended beyond the narrow bounds to which they were confined by the Royal Proclamation of 1763, and made to embrace all the territory which at present compose the Province of Upper and Lower Canada, the British Parliament having established a form of Civil Government, found it necessary to provide means for its support and to defray the charge of administering Justice according to the laws which it had given to the newly organized Colony. To which end an Act was passed, whereby certain duties which had been imposed by the authority of the French King upon imports and exports in and from the Province of Quebec, when called the Province of Canada, and which were inadequate to the purpose intended, were discontinued, and other duties imposed upon certain articles to be imported into the said Province; and it is by that Act provided "That all the moneys which should arise by the said duties (except the necessary charges of raising, collecting, levying, recovering, answering, paying and accounting for the same) shall be paid by the Collector of His Majesty's Customs into the hands of His Majesty's Receiver General in the said Province for the time being, and shall be applied in the first place in making a more certain and adequate provision towards defraying the expenses of the Administration of Justice and of the support of the Civil Government of the said Province, and that the Lord High Treasurer or Commissioners of His Majesty's Treasury, or any three or more of them, for the time being, shall be and is or are thereby empowered from time to time, by any Warrant or Warrants under his or their hands, to cause such money to be applied out of the said produce of the said duties towards defraying the said expenses, and that the residue of the said duties shall remain and be reserved in the hands of the said Receiver General for the future disposition of Parliament."

The Government of the Province of Quebec and the provision for its support remained on the footing on which this Statute had placed them till the year 1791, at which period the upper part of that province now forming the Province of Upper Canada contained, it was supposed, about ten thousand inhabitants, who were principally disbanded soldiers of British and Colonial Corps, or American

Loyalists to whom an asylum was there afforded after the termination of the Revolutionary War.

These forming a description of people altogether different in their habits and attachments from the Canadian French, it was deemed advisable, by His late Majesty, when he resolved to recommend to His Parliament to bestow on his Canadian subjects the same free Constitution which prevailed in Great Britain, to divide the Upper portion of the Province of Quebec from the Lower, in order that the inhabitants of each might have it in their power, in adopting laws for their internal regulation, to indulge in their adherence to that system of Jurisprudence to which they had respectively been accustomed.

The Province of Quebec was accordingly divided into the Province of Upper and Lower Canada by the line of separation which still exists, and by the 31st Geo. 3rd, Ch. 31 the British Parliament gave to each Province a separate legislature, with power to make laws for its peace, welfare and good government, subject to certain restrictions expressed in the Statute.

The Port of Quebec, through which alone the people of Upper Canada could have access to the Ocean, being within the limits assigned to the Province of Lower Canada, the necessity of protecting the Upper Province against the exercise of an exclusive Legislative control over that Port by the Lower Province, suggested to the British Parliament the propriety of reserving to themselves, in express terms, the right which must at all events have been implied of making laws with respect to the imposing of duties for the regulation of navigation, or for the regulation of the Commerce to be carried on between the said two provinces, and for the directing the payment of drawbacks.

No particular provision, however, on these subjects was contained in this Statute, and when the newly constituted Legislatures entered upon their functions, the British Statute of 14th Geo. 3rd, in so far as it imposed duties upon certain imports into the Port of Quebec, was still in force. The Legislature of Lower Canada, in its first Session, found it necessary to provide a fund for defraying the expenses of their officers and other charges incidental to their sessions, and for this purpose they imposed a duty upon wines imported into that Province in addition to those already imposed by the 14th Geo. 3rd, not unmindful of the right of her Sister Province to receive her imports from the Parent State, which of necessity must pass through the Port of Quebec exempt from the duties which were to be applied solely to the use of Lower Canada. A clause was proposed to the Bill enacting these duties, by which it was provided that they should not be charged upon any goods entering at Quebec and declared to be intended for exportation to Upper Canada. Aware, however, as it would seem, that their joint intention, thus readily avowed, could not be completely carried into effect by this general provision, it was not adopted in the Bill, but Resolutions of the House of Assembly were entered into clearly recognizing the right of Upper Canada to a drawback of the full amount of these Provincial Duties upon all such articles as were consumed in that Province.

These Resolutions were, at the desire of the Assembly of Lower Canada, communicated by the Governor of that Province to the Governor of Upper Canada, and at the suggestion of Lower Canada Commissioners were appointed to hear on behalf of both Provinces respecting the collection of duties and payment of drawbacks.

In the meantime, however, the Legislature of Upper Canada, feeling an equal necessity to provide a fund for the payment of their Officers, proceeded to raise it in the same manner as the other Province had done, by imposing an

additional duty upon wines imported from the Province of Lower Canada; which it would seem by the terms of the Act were intended to be collected in that Province and paid in the first instance to the Collector of Customs there.

When the Commissioners met under the authority of the Legislature of their respective Provinces, the amount due to Upper Canada for its proportion of the duties imposed on wines by the Act of the Lower Province above mentioned was ascertained as nearly as could be done, and provision was made for its payment, and it was agreed by Articles afterwards ratified by the Legislatures of both Provinces, "that the Legislature of Upper Canada should not impose any duty upon goods imported into Lower Canada, but should allow and admit the Legislature of Lower Canada to impose such reasonable duties on such goods as they might judge expedient, for the purpose of raising a revenue for the Province of Lower Canada."

And it was further agreed, "that of such duties as the Province of Lower Canada had already imposed or might thereafter impose on goods, wares or merchandise coming into the Province of Lower Canada, the Province of Upper Canada should be entitled to receive annually and to dispose of one-eighth of their net produce, the other seven-eighths remaining for the use of Lower Canada."

Upon the expiration of this Agreement, a new one was concluded by Commissioners on the part of both Provinces, in January, 1797, by which it was stipulated as before that Upper Canada should not impose "any duties on goods imported from Lower Canada, but that she should allow the Province of Lower Canada to impose such reasonable duties on such goods as they might deem expedient," in consideration of which the Legislature of Lower Canada agreed to allow a just proportion of the duties imposed by them to be paid to Upper Canada. This proportion was not by this Agreement limited to one-eighth, as it had been by the last, neither did the Commissioners determine what it should be. The population of Upper Canada had no doubt increased much more in proportion than that of the Lower Province, and the former rate therefore being inapplicable, an attempt was made to ascertain the actual consumption of goods by Upper Canada, by stationing a Joint Inspector at the Coteau du Lac, at whose office all boats and carriages passing from the Lower Province into the Upper were to report,

This Agreement was renewed by Commissioners from time to time till 1817, the amount of drawbacks to be paid to Upper Canada being regulated entirely by the amount of dutiable articles reported by the Inspector at the Coteau du Lac to have passed from the Lower Province.

By this time it was sufficiently evident that this mode of ascertaining the amount of drawbacks was defective, from the nature of the boundary between the two Provinces, and other causes, which shall be presently adverted to. It was discontinued by mutual consent, and by the agreement entered into by the Commissioners of both Provinces in 1817 it was provided that during the period for which that agreement was to be in force, viz., till the 1st of July, 1819, Upper Canada should receive one-fifth of all duties received on importations into Lower Canada, a proportion fully justified by the comparative population and consumption of the two Provinces within the period referred to.

This was the last agreement concluded for the regulation of the commercial intercourse between the two Provinces. But Your Committee, before they proceed to state the unfortunate interruption in the receipt of our revenue from the Province of Lower Canada since its expiration, beg to lay before the respective Houses the following considerations growing out of the financial relation between the two Provinces up to that period.

The first agreement having provided for the payment to Upper Canada of one-eighth of all duties collected by the Legislature of Lower Canada upon importations into that Province, it is clear no loss could be sustained by us except such as might arise by evasions of the Revenue Laws of Our Sister Province, in which losses it was just and unavoidable that we should participate, and therefore no question about arrearages arose so long as matters stood upon the footing on which this first agreement placed them; but when by the agreement of 28th January, 1797, that system of ascertaining the amount of drawbacks was established, which was continued till 1817, and which gave only to Upper Canada a right to receive for its proportion of Provincial duties levied in Lower Canada the drawbacks upon all such articles as should be reported by the Inspector stationed at the Coteau du Lac to have passed into this Province, it is plain that any failure in reporting to that officer goods on which a drawback ought to be allowed, from whatever cause the omission might arise, must necessarily have occasioned to Upper Canada the loss of the duties upon such goods; which no less by the plain justice of the case than by the express terms of Provincial Agreements actually existing, were clearly its due. Such failure in reporting did, during the whole period of this agreement, occur to a very great extent from various causes, some of them inevitable, and others arising wholly from an omission on the part of Lower Canada which rendered nugatory the stipulation contained in the existing agreements.

The facility of passing the Custom House at the Coteau du Lac, both by land and water, which could not be remedied (there being no natural barrier to prevent it) by any means that could be justified by the amount of Revenue to be collected, and the temptation to avoid it in order to escape the inconvenience of detention, occasioned the loss to Upper Canada of drawbacks on goods to a very large amount, especially during the years 1812, 1813, 1814 and 1815, when the nature of the communication during the continuance of the War made it almost impossible to observe regularity. The losses thus sustained, however, arising from the impracticability of a system to which this Province had consented, are not the fault of the Sister Province, and where they cannot be ascertained to any amount with reasonable accuracy, and are consequently without remedy, must be borne without complaint.

But it is otherwise with any losses which this Province can be proved to have sustained clearly by the default of the Sister Province.

These, your Committee find, have been suffered to a very large amount, and from the following causes:—The Legislature of the Province of Lower Canada, from the time of passing an Act already noticed, imposing additional duties on wines imported into that Province, in order to raise a fund for defraying the expenses of their officers, have from time to time to provide means for different public objects within their own Province, passed Acts increasing very considerably the duties imposed upon certain articles by the British Statute 14th Geo. 3rd, subjecting to duties certain specific articles which have been before admitted free, and imposing a general duty advalorem upon all other articles of merchandise, saving a few which were particularly excepted.

These Acts of a Provincial Legislature, imposing duties upon articles imported from the Mother Country or her Colonies, as well as from Foreign States, however they might be considered as inconsistent with the reservations contained in our common Constitutional Charter, had been indulgently acquiesced in by Great Britain, and were certainly fully consistent with the subsisting agreement to which this Province had assented, but then the express stipulation upon which

that acquiescence was conceded, namely, that Lower Canada should allow to Upper Canada the full amount of drawbacks upon all such goods as should appear by the return of the Inspector at the Coteau du Lac to have passed into this Province, was defeated by the omission of Lower Canada to furnish information of the duties they imposed from time to time either to the Government of this Province or to the Joint Inspector, from whence it happened that the officer, ignorant of the duties which had been imposed, omitted to take any account of merchandise subject to a duty advalorem or to make any distinct entry of articles upon which specific duties have been imposed; and this omission was not discovered by this Province till it had occasioned a loss to its revenue closely ascertained to amount to many thousand pounds. The arrearages due on these accounts from Lower Canada engaged the attention of our Legislature in 1814, and from that period to the present urgent applications have been made for their adjustment, but without success.

In 1817, when the last agreement was concluded, finding that the Commissioners from Lower Canada refused to enter into examination of them, alleging that as they were claimed to be due under former agreements application must be made to their Executive Government, our Commissioners did accordingly apply to His Excellency, Sir John Sherbrook, their Governor in Chief, for the adjustment of our arrearages, which were distinctly stated, and the amount under each head was given from the most correct information that had then obtained except one item which it was found difficult to ascertain, though the claim to it was clearly well grounded, and the sum due to this Province upon it undoubtedly large. This was the drawback on merchandise purchased by the Commissariat in Lower Canada, and sent to Upper Canada for the Army, Navy, Commissariat and the other departments of the public services, after the 1st October, 1813, of which no account had been taken at the Coteau du Lac. His Excellency's answer, far from denying the justice of these claims, held forth every hope of their speedy arrangement, but though during the four years which have since elapsed they have been pressed with a perseverance which the embarrassed state of our funds rendered highly necessary, they are yet unliquidated, a small portion only having been received two years ago, which was not more justly due than that which is yet unpaid.

The Commissioners on the part of Lower Canada, at their last meeting, declared, as on the former occasion, that they had no authority to enter any question of arrearages, and referred us again to the Executive Government, to which repeated applications had already been made which had afforded no prospect of a final adjustment. Thus stands the claim of this Province for arrearages due by the Province of Lower Canada up to the 1st July, 1819, when the last Provisional Agreement, concluded in 1817, expired.

Your Committee have forborne to enter into any detail of the amount, or even of the particular heads, as all that have been alluded to and any others that may exist, must, before they can be adjusted, be subjected to a more accurate and minute investigation than has hitherto been made. It is sufficiently clear that very large arrearages have been long due to us under the express terms of Provincial Agreement sanctioned by the Legislatures of the two Provinces, and that were our necessities less urgent than they are, it would not the less be encumbent upon our Sister Province, simply as a matter of right, to afford every facility to their just and prompt liquidation.

The possibility of ascertaining the amount of arrearages, by an investigation, affording a prospect of equal justice to both Provinces, and the necessity of pro-

viding for their payment, without further dependence upon the Legislature of Lower Canada, are the only considerations growing out of our financial relations with that Province up to the year 1817, when the agreement was concluded by which it was stipulated that Upper Canada should receive one-fifth of the duties which should be received on importations into Lower Canada as well as those levied under the British Statute 14th Geo. 3rd, as those under Provincial Acts.

The duties imposed by the 14th Geo. 3rd it will be recollected were declared to be applicable, under the authority of the Lords of the Treasury, to defray the charges of the Administration of Justice and the support of the Civil Government within the Province of Quebec. Upon the division of the Colony it would obviously follow that the proceeds of these duties should be divided in proportion to the necessary charges, of the two Provinces, on account of the objects they were intended to provide for. So long, however, as His Majesty's Government in England supplied this Province with funds for those purposes, we had no claim upon the Lords Commissioners of the Treasury for any portion of this revenue, and whether the Province of Lower Canada could on that occasion justly claim the whole may be a matter of discussion, into which it may be considered we have no right to enter. It is obvious, however, though all former agreements were confined to the distribution of the duties under Provincial enactments, that so soon as the Province began to assume the expense which those duties were designed to meet, their claims to a just proportion of them began to accrue.

The agreement last mentioned was limited to the 1st July, 1819, and the terms of it having been complied with, Your Committee submit this part of their Report as giving a general account of our relations with Lower Canada up to that period. The discontinuance which has since occurred of the arrangements between the two Provinces, which had before subsisted under agreements renewed from time to time, and the causes and consequences of it, may be more shortly stated.

The Commissioners for Upper Canada have ever been nominated by the Governor, and appointed by Commission under the Great Seal of the Province, under the authority of a Statute of our Parliament passed for that purpose; and a permanent Act has been in force since the year 1797, which empowers the Governor of this Province for the time being to appoint three Commissioners to treat of the matters now in question, "with those who might be authorized for that purpose by a power to be granted by the Legislature of Lower Canada."

Under these arrangements it is clear that the power of sending Commissioners to represent this Province was always subsisting, and could be exercised whenever it was required; but in Lower Canada a different course had been adopted, and their Commissioners had been specially named and appointed from time to time by temporary Acts, passed as it became necessary from the expiration of subsisting agreements to renew the consultation.

It is plain this system exposed us to the hazard of interruption in the receipt of our revenue. It occurred, unfortunately, at the period we arrived at. No provision was made in the Legislative Session of Lower Canada, preceding the 1st of July, 1819, for appointing Commissioners to renew the agreement which it was shown must expire during the recess. By this omission a long delay was incurred which, though very injurious to this Province, was patiently borne, in the hope that the Legislature of the Sister Province, at their next meeting, would be prompt to repair, by making immediately the necessary provision. Their next session, however, terminated without due attention being paid to this measure of obvious necessity and justice, and the source from whence four-fifths of the whole

revenue of this Province are derived was thus, in disregard of our right as well as of our interests, shut up from us for another year.

Nor was this indeed the only hardship under which we at this time laboured, for, however strange it may seem, the proportion of duties due to this Province under the terms of the last agreement were withheld until authority should be given for their payment by an Act of the Legislature of Lower Canada, so that this Province was made to depend upon an annual vote of their Parliament for the receipt of that revenue which was adjusted by an agreement concluded under their authority and afterwards ratified by their sanction, and this provision, which in justice should not have been held necessary, was nevertheless omitted to be made. Your Committee are aware that the two sessions in which these provisions, plain and easy as they were obviously just, were omitted to be made, were disturbed by unfortunate disagreements between the different branches of the Legislature, which no doubt very materially obstructed their public functions; but it is equally true that a variety of Acts of far inferior moment to their own interests were passed in both, and it cannot be denied that this Province had a right to expect that insurmountable obstacles only should have prevented the immediate appointment of Commissioners to renew the agreement.

After a delay of nearly two years, the necessary power was at length given, and the Commissioners met at Montreal in the month of July last. The unfortunate result of their negotiations is known to both Houses, and they have concurred in expressing their conviction that considering the principles and the obstacles presented on the part of Lower Canada at this conference, all further attempt to negotiate with the Commissioners would be fruitless.

Your Committee observe that there is a less reason to doubt the truth of this conclusion, when it is considered that the Commissioners were selected by the Assembly of Lower Canada from among their own Members, and must consequently fairly be presumed to speak the sentiments of that Body whose sanction would be necessary to give validity to any agreement they could form. Indeed they spoke of their instructions and authority as limiting their discretion in the most important points, and from the discussion which had taken place in their Legislature in preceding Sessions it was very generally apprehended in this Province that the attempt on our part to form an agreement on just and equitable terms would be unsuccessful. The experience of past inconveniences, and the very pressing exigencies of this Province at the last Session of the Legislature, from the unprecedented and unexpected detention of our revenue and the uncertainty of speedy relief from these embarrassments impelled both Houses to unite in an earnest appeal to Our Sovereign, praying His Majesty to call the attention of the Imperial Parliament to the difficulties which oppressed this Province, and to provide in their wisdom a just remedy.

Sufficient time has not yet elapsed to admit of our receiving an answer to our prayer, but the circumstances which have since occurred not only strengthen the justice of the appeal but compel us to urge it as the only means of relieving us from the doubts we have incurred, and of providing for the future exigencies of this Province.

When that appeal was made, the chief injury complained of was that no opportunity had been afforded us for nearly two years of urging our claims for the past or providing an agreement for the future. Our present situation is more alarming. Until the attempt was made, it was reasonable to hope that Our Sister Province, regretting the inconveniences we had sustained, would have shown, at least with respect to the past, an inclination to go every reasonable length in meeting our just claims.

A short examination of the result of the negotiations upon the different points will show how far that inclination can be said to have been manifested.

The first object of our Commissioners was to procure a liquidation, or at least an examination, of our claims for arrears under agreement prior to 1817. It was known to Lower Canada that these claims had been preferred to their Commissioners in 1817, who then declared they had no authority to consider them, and referred us to the Executive Government of their Province, and that their executive Government when applied to had declared at once their conviction of the justice of some of them, but represented the necessity of referring others to the Legislature. And as it was known that although four years had since elapsed no steps had been taken for their final adjustment, it was therefore not unreasonable to expect that the Commissioners would have now come armed with authority at least to institute a fair investigation of these claims, and ascertain the amount, or that they would at any rate have agreed to recommend to their Legislature to direct such an investigation without delay.

On the contrary, neither hope nor promise was held out, but the Commissioners told us, as we had been told four years before, that they had no authority to look into the past, and left us only the recourse which had already been tried and found ineffectual.

The second object of our Commissioners was to obtain a fair proportion of the duties levied during the two years in which it had been out of our power to renew the agreement.

On this head at least there was reason to hope that our Sister Province would not have been more rigid than was evidently just, and that she would have been careful not to aggravate the evils we had already been made to suffer by unnecessary disappointments.

Taking comparative population of the two Provinces for their basis, the last Commissioners had, in 1817, established our proportion of duties at one-fifth. Since that period emigration from Europe, which was then only commencing, had added annually many thousand inhabitants to this Province, and it admits not of question that at that moment the proportion of population is vastly more in favor of Upper Canada than it was in 1817. Still the claim of our Commissioners for a greater share of duties was without hesitation rejected, and the Commissioners on the part of Lower Canada would consent to no other means of ascertaining the amount of the revenue, some of which should, nearly two years before, have been paid over to the uses of this Province, than by receiving actual evidence, by examining persons and accounts, of the goods which had been purchased for its inhabitants within the whole period unprovided for. It was clear that in the present extended state of the commercial intercourse between these Provinces, such an inquiry could lead but to a very imperfect and unsatisfactory result. It could not be learned from it what amount of goods had been purchased for cash or at auction by people of this Province, of which no account had been kept, or what goods had been purchased from wholesale dealers returned to Europe, or no longer resident in Lower Canada.

These and other difficulties in the way of such an inquiry were urged in vain. It was peremptorily insisted on as the only course, and when feeling its impracticability, and reflecting on the embarrassments of this Province, our Commissioners offered to accept the same proportion for the last two years that had been before established, even that proposal was as decidedly refused.

It was alleged on the part of Lower Canada that strong liquors and salt, upon which duties were received at Quebec, were not consumed here in proportion to our

population, but were superseded by articles of our own production, or imported from the United States. With respect to salt, Your Committee admit this to be true. The great expense of transport of so heavy an article up the Saint Lawrence induces the people of this Province to import it principally from the opposite shore of Lake Ontario, or to manufacture it themselves; but then it is equally true that the whole annual revenue on salt received in Lower Canada falls short of £2,500, and if it were struck out of the account altogether it would not perceptibly vary the proportion.

It is also true that in the Upper Districts of this Province the quantity of whiskey distilled from grain supersedes very much the use of rum, but in the Lower Districts little or no whiskey is consumed, and there is altogether so large a quantity of rum used in this Province that in 1817, when the last return was made of articles which passed the Coteau du Lac, it exceeded one-fourth, and there is little room to doubt that during the succeeding years it amounted to fully one-fifth.

But if the objections made on the part of the Commissioners of Lower Canada were admitted to the full extent to which they urged them, it was still an ascertained truth that the people of Upper Canada consumed one-third of the whole dry goods and other merchandise upon which an advalorem duty of two-and-a-half per cent. was levied in the Lower Province; that of many articles paying specific duties, they consumed more than that proportion, and of some even one-half; and on comparison of the returns of the Inspector at Coteau du Lac of the dutiable articles which had actually been reported to him, with the returns published in Lower Canada of the importations at Quebec, it is evident that in 1817, when the proportion of duties for this Province was assigned at one-fifth, it was less than our consumption entitled us to receive.

It was insisted, however, on the part of Lower Canada, that though the increase of population in this Province since that period was greater in proportion, the importations from Lower Canada were materially decreased since 1817, from the depression of trade and the change of circumstances, after the conclusion of the late war. Subsequent investigation has proved this assumption to be unfounded; but had it been otherwise, the inference drawn by the Commissioners did not justly follow in its full extent. It is obvious that the amount of importation into the Port of Quebec must be always proportionably regulated by the demand of this Province for those importations, and must always keep pace with it. The inhabitants of Lower Canada would not consume more because we consume less. And though the quantity of goods used in both Provinces might be altogether diminished, it would rather affect the amount of duties to be received than the relative proportions.

The Commissioners from Lower Canada could not be induced by any consideration to recede from the alternative they offered of proving from whom all the goods had been purchased which Upper Canada had consumed for two years past, or leaving the duties which we as the consumers had actually paid upon them locked up in their Treasury, while every public service and every public debt which this revenue was required to meet must continue to go unprovided for.

So far your Committee have considered the claims of this Province to the proportion of duties which our Commissioners were willing to accept for the two years in question as resting upon the grounds appearing in the official report of the last negotiation on evidence arising from former returns and calculations easily to be referred to. But the right of this proportion, and indeed to a greater, was much more satisfactorily proved.

The Honorable Thomas Clarke, one of Your Commissioners, after the confer-

ence had terminated and his colleagues had returned to this Province, although he did not admit the justice of the mode proposed to ascertain the goods sent into this Province, and had declared his conviction that it must necessarily be defective, did, nevertheless, in company with one of the Commissioners on the part of Lower Canada institute an inquiry among the principle merchants of Montreal having transactions with this Province, and obtained also an account of merchants' boats which had passed up the St. Lawrence with goods for Upper Canada from the year 1817 to 1820, inclusive, and the result clearly justified the allowance of the proportion claimed.

The information thus obtained and the communications connected with it forming no part of the official proceedings of the Commissioners whose negotiations must be considered as terminated when the Commissoners of Lower Canada separated, and delivered to ours a copy of the Report they intended to make to their Government, were not transmitted with the official report of the Commissioners, but were, upon the request of Your Committee, communicated for their information.

The result seemed to produce no change in the determination of the Commissioners of Lower Canada, but the labours of Mr. Clarke, in collecting the information, has been extremely useful, as the result proved more clearly the reasonableness of that for which our Commissioners contended, and showed more decidedly the disinclination of our Sister Province to concur in any arrangement which many considerations might lead us to hope for. It is plain, however, that no regard of the hardships imposed upon this Province, by leaving these difficulties to be discussed till so large a debt has been made to depend upon their decision, had any influence upon the conduct, or indeed upon the feelings, of the Commissioners delegated to treat with us; for to the just remonstrance on the part of this Province on the delay which had occurred since the expiration of the last agreement and its injurious effects upon our interests, they contented themselves with replying that "these evils were the unavoidable consequence of depending for revenue on the Legislature of another Colony, to which the Legislature of Upper Canada had long consented."

The last object of Your Commissioners was to form an agreement for the future, in which they were met by an express and "decidedly refused to accede to any arrangement which should not have for its basis the sole collection of its own revenue by both Provinces respectively, without either of them being charged with the payment, or refunding the proportion of duties or drawbacks to the other." Upon this proposition, which the Commissioners declared their duty to their constituents did not authorize them to depart from, Your Commissioners have to remark that it did not afford to Upper Canada the alteration of relinquishing its revenue or of appealing to the interference of our Parent State. The attempt made, and long persevered in, to ascertain by actual entry at the boundary between the two Provinces the goods passing from the one into the other, resulted in the entire conviction of its failure, and it was accordingly abandoned by consent of both Provinces, but not until the revenue of Upper Canada had suffered by it to an extent which Your Committee, from an examination of documents, are convinced would not appear credible to any who have not made the inquiry.

There is no room to doubt that one-third of the duties thus lost to Upper Canada upon goods which her inhabitants have actually consumed would more than discharge all those incumbrances upon her Treasury which have compelled her to borrow from individuals the money due to her creditors, and if not speedily relieved, must bring her to difficulties which her own resources cannot enable her to sustain.

And if these were the effects of the system when the only temptation to pass clandestinely was to avoid the inconveniences and delay of reporting, it is obvious how much worse the matter would stand under the proposed arrangements, for if we must henceforth collect our own revenues, and Lower Canada, as the Commissioners expressly declared, will receive no duties for us and pay us no drawbacks, it follows that we must depend upon enforcing the payment of our duties upon goods as they pass our own boundary, so that to the former difficulties the temptation of smuggling would be added, to prevent which would require an establishment of Custom House Officers along the boundary between the two Provinces, which would scarcely be supported by the amount of revenue to be expected, and which could but imperfectly answer the object, with every precaution.

There is something of an appearance of reciprocity in the proposal that each Province shall collect its own revenue respectively, without payment of any drawbacks to the other; but there is in truth none, for it is not probable that Lower Canada will ever have any drawbacks to receive. We are compelled by British Acts of Parliament to get through Lower Canada exclusively all our articles of European production. The inhabitants of that Province it is certain get none such from us.

Our Lumber, Potash and Provisions, and those of the United States of America imported into this Province and passing to Lower Canada, are our only exports. These latter have hitherto been subject to no duties in this Province, and there can be therefore no drawbacks to be paid for them, and if there were, they are not consumed by the people of Lower Canada.

Our Commissioners, it is evident, could not, upon these terms, form any agreement with the Commissioners of Lower Canada to enable us to receive our proportion of revenue now daily accruing. But of this impossibility, much as it increases our difficulties, we cannot complain. Lower Canada had no undoubted right to adopt for the future the line of conduct which she had now chosen to prescribe for herself. Her insisting upon it has not, as in the other case, any retrospective hardships attending it, and it might perhaps have been well had she at a much earlier period left us no reason to look for any concession of accommodation which could not be compelled, and which can thus be withdrawn at pleasure.

With respect to this last conference between the Commissioners of both Provinces, there are two matters most worthy of remark.

Of late years the trade between Lower Canada and the United States of America has become very considerable, and vast quantities of merchandise which, on their importation into the Port of Quebec, pay a duty advalorem, and perhaps a still greater proportion of such as pay very high specific duties under the British Act of 14th Geo. 3rd, and under Provincial enactments of Lower Canada, pass annually into the Territories of the United States, principally through the Port of St. Johns.

These goods not passing through Upper Canada, we have hitherto, under the Provisional Agreement, which made the reports of entries at the Coteau du Lac the measure of our drawbacks, received no proportion of the duties levied on them in Lower Canada; and when our claim to receive for the future a share of the duties on such goods has been advanced, we find it is resisted, on the ground that we are entitled to no duties except on such articles as we actually consumed.

The people of Lower Canada consume none of those goods, and to admit their right to the whole of the duty is to allow them the exclusive advantage of the Port of Quebec as the entrepot of a foreign trade—an advantage in which it is clear we should have participated had the Province of Quebec remained undivided, and of

which it appears to Your Committee it could never have been intended to deprive us by the separation.

Our right to a proportion of duties levied under the 14th Geo. 3rd upon goods so passing through Lower Canada into the United States, it seems to Your Committee can admit of no question; yet this has been equally withheld from us.

The other consideration growing out of this conference is such as cannot have failed to excite the notice of both Houses.

In their written communications which form part of the Report the Commissioners of Lower Canada are careful to speak of the claims of this Province to drawbacks as grounded merely "on equity and former practice," or rather in still more cautious terms they recognise our claim to any share of duties hereafter to be levied at Quebec only as a claim to that which "equity and former practice" have entitled us.

This Province, on the other hand, has ever claimed this revenue as a right, and complains of the present obstructions thrown in the way of its receipts, as a denial of Right, and not merely the withholding of a boon.

In your report, which Your Committee have thus made to both Houses of the past and present situation of our financial relations with Lower Canada, they have abstained from any general expressions of accusation against our Sister Province, sensible that such a discharge of their duty would be more acceptable to their respective Houses, and feeling that it is just rather to state forcibly and truly the difficulties we at present suffer, and to attribute them, as the Commissioners on the part of Lower Canada have done, to their proper source—the dependence of this Province for its revenue upon the Legislature of the other. While this dependence exists the Legislature of Lower Canada is in effect both Judge and Party. It is clearly the interests of that Province, and their Commissioners would therefore naturally regard it as their duty to concede nothing to this Province which could be withheld. The dependence being only on one side, there was no equality, and there could in truth be nothing like negotiation between the two.

The course of the Commissioners of Lower Canada has been to insist inflexibly, as they have done, upon any terms they might think just, and we had no alternative but to accept the share of duties they might choose to give, and as they chose to give them, or to receive none, they suffered nothing by such a termination of the treaty, whilst in this Province every branch of the public service is threatened with ruin.

Your Committee need scarcely seek to add, by any arguments, to the conviction expressed in the Resolution of both Houses, of the absolute necessity of entreating our Sovereign and the Imperial Parliament to extend to the distresses of this Province immediate and effectual relief. The prospect of increasing revenue commensurate with the increase of this Province induced our Legislature a few years ago to make provision for the advancement of education throughout the Province, to extend Pensions to those who during the late war had suffered in its defence, and to impose other charges upon the public funds, which the just receipt of all our revenue would have enabled us to meet, but which for want of that receipt have accumulated growing debts upon the Province; and above all it must necesssarily be considered by both Houses that on the application to Our Sovereign, through His representative in 1817, the Legislature of this Province cheerfully assented to assume all the charges for the service of its Civil Government which had before been paid from other sources.

The Civil Government, therefore, is now wholly dependent upon our revenue

for these necessary supplies, without which the ordinary administration of Justice and the other departments of the Public Service cannot proceed.

The whole internal revenue of this Province is inadequate to meet one-quarter of the necessary charges upon it, and without the immediate aid of our Parent State public faith must be broken, and it is impossible to foresee how the Government can be long carried on.

In what manner the Imperial Parliament can provide just remedy for the past, and prevent effectually the recurrence of future difficulties, is next to be inquired into; and upon these as the most important considerations arising from the matters referred to them your Committee beg to offer with great diffidence the following suggestions:

With respect to the claims of this Province, as well as for arrearages prior to 1817, as far as its proportion of duties received from Lower Canada since the expiration of the last agreement, Your Committee conceive that the most practicable and unexceptionable course would be to provide that they shall forthwith be referred to the decision of three arbitrators, one to be chosen by each Province, and the third to be appointed by the Governor of His Majesty's Colony of Nova Scotia or New Brunswick, with such allowance for his remuneration as His Majesty or the Governor of such Colony shall think just, to be equally defrayed by the two Provinces of Canada.

A reference to the decision of the Lords Commissioners of His Majesty's Treasury, or to the Committee of His Majesty's Honorable Privy Council for the affairs of Trade and Plantations, would be equally satisfactory to this Province, but the mode suggested affords greater facility of adducing evidence of the claims, some of which will necessarily require much investigation.

In looking to the future, the interests of this Province claim consideration in three respects:

1st. With regard to the duties hereafter to be received in Lower Canada under the British Statute 14th Geo. 3rd.

2nd. With regard to the duties now existing under the Provincial enactments of Lower Canada.

3rd. With regard to the continuance of that control which the Legislature of Lower Canada has hitherto exercised over the Port of Quebec, and in other matters immediately affecting the Commerce of this Province.

On the first of these subjects, Your Committee are of opinion that the funds arising from the 14th Geo. 3rd, being expressly appropriated by that Statute to the support of the Civil Government and to defray the charges attending the administration of Justice within the Province of Quebec, when, by the division of that Colony into two provinces, in 1791, these charges were thrown upon each within its own limits, the distribution of these duties between them should be regulated by the amount of necessary permanent charges for these objects in each Province respectively, rather than by the proportion of population, and should be paid accordingly by order of the Commissioners of His Majesty's Treasury.

In answer to this, it can be contended that the consumption of the inhabitants of Lower Canada, being greater than in this Province, they pay more of the duties, and that those duties should therefore in the same proportion be expended for their benefit. But on the other hand it can be maintained with truth that a great, perhaps the greater, part of the whole quantity of the West India produce imported to Quebec is the property of British Merchants resident in Great Britain, or in the West Indies, Newfoundland and Nova Scotia, and not of the regular resi-

dent merchants in Quebec or Montreal. The reason for this is, that of late years there has been a loss on the shipment of those articles. The duties therefore are in the first place paid by the British Merchant, and by the present system are brought at once to the account of Lower Canada, while that Province, until the last agreement, portioned out to us only the amount as it accrued on the reported consumption, which was in fact much less than the real consumption, and appropriated to itself all the duties accruing on what may have been exported to the United States, to the Settlements on the Ottawa River, or to the Trading Posts on Lakes Huron and Superior, on which no drawbacks have been allowed.

On the second matter for consideration, the duties now existing under the Provincial Enactments of Lower Canada, Your Committee in the first place submit that it should no longer depend entirely upon the pleasure of the Sister Colony to continue or suspend them, that they should on the contrary be permanently enacted by the Imperial Parliament, to prevent the injustice of this Province being suddenly and without means of remonstrance deprived of the greater portion of its revenue at the will of the Legislature of Lower Canada. It is plain that without such restriction Upper Canada can never with safety make any provisions for objects requiring a permanent appropriation.

If to enact these duties permanently should appear objectionable, it must at least be granted that justice requires that Lower Canada should not have it in her power to repeal duties in which we have an equal interest, or to suffer the Acts imposing them to expire, until an opportunity of remonstrance has been afforded us, by such provision of a controlling power, as to the Imperial Parliament may seem just.

The third matter for consideration, in contemplating our future situation with respect to Lower Canada, is that which presses the most seriously upon the attention of the Legislature of this Province, and it affects deeply the interests of the people and just independence of its Government in all time to come.

When our late beloved Sovereign communicated to His Parliament his conviction that it would be for the benefit of his subjects in his province of Quebec that the same should be divided into two separate Provinces, and recommended the necessary Legislative provisions to be made for their Government, and when after the Act had passed, which gives to these Provinces their constitution, His Majesty was graciously pleased, in a spirit of paternal affection, to declare from the Throne, that the provisions which had been made for the good government and prosperity of his subjects in Canada called for his particular acknowledgements, it cannot be supposed that it could have been intended by those measures to place the one of these Provinces in a state of dependence upon the other. This consequence has, nevertheless, followed, from the exclusive control over the Port of Quebec assumed by the Legislature of Lower Canada, a control not strictly warranted, as it appears to Your Committee, by its situation as a Colony upon the general principles of national policy and government, or by the powers given to that Legislature by the Act which created it, and which, with respect to this Province, is as unjust in the abstract as it has ever been grievously injurious in its effects. Hitherto we have borne that control because we had unwisely assented to it; but when the consequences have overwhelmed us with difficulties which we are told by the representatives of that Province we must impute to our acquiescence, it must be our own fault if we submit to it longer than the wisdom and justice of that superior power, which happily controls us both, can provide a remedy.

With a foreign country on one side of us through which we are forbidden, by

the positive restrictions of British Acts of Parliament, to import any production of Europe, and having no access to the ocean but by the Port of Quebec, the separation of this Province, so long as Lower Canada exercises control over that port, has obviously the effect of rendering that Province with regard to us as a foreign country interposing between us and the Parent State; though indeed we have acquiesced in it on conditions which are yet unperformed.

Your Committee cannot believe that in the contemplation of the British Parliament it can be considered competent to the Legislature of Lower Canada to impose as they have done such duties as they please upon the importation of the productions of Great Britain and her Colonies or of Foreign States, to make the invidious and unjust distinction they have done by their Act imposing two-and-a-half per cent. ad valorem additional duty on all importations not made by their own people, thereby placing us on the footing of foreigners, or to impose as they have done, without our consent, very considerable duties upon the boats and craft of this Province entering their waters with exports for British or Foreign Markets. If the first were to be conceded, Lower Canada would have it in her power to make the manufacturers of Great Britain or of any other country come to us at what rate she pleased, or she might, by imposing a duty which would amount to a prohibition, deprive us of them altogether, in order to force upon us perhaps a manufacture or production of her own. Her choice and her necessity would be the limit of ours. If her revenue was to be raised for a temporary purpose, we must share in the increase of a duty when we do not desire it; and if from the abundance of her resources, or for any object of policy or convenience, she chooses to relinquish her duties on imports, wholly or in part, we may, in the time of our greatest need, be left with scarcely any revenue at all.

If the second were to be conceded, there being no line prescribed, Lower Canada might tax or export directly or indirectly, so as to give them no chance of competition in a foreign market, or she might raise, as she has done in this very instance, a revenue wholly at our expense amounting to some thousands of pounds, to be appropriated solely at her discretion.

If this is to be the future situation of this Colony, it is singularly unfortunate among the possessions of Great Britain. Its climate and soil will hold forth in vain advantages which few portions of the globe can offer if its inhabitants are to depend, not for its prosperity only, but for the very maintenance of their Government, upon the sense of justice and the consideration of another colony. The supreme power of the Empire regards in its enactments the protection and the welfare of all its parts, but the Legislature of a Colony has but its own interests to guard, and it can never be safely anticipated that it will look beyond them.

Your Committee feel their inadequacy to suggest the particular measures by which this Province could be effectually protected against the evils with which it is threatened.

The exercise by the Imperial Parliament of the conclusive control over the trade of the Port of Quebec and the intercourse between the two Provinces is necessarily the first step. Whether the amount of drawbacks to be paid to this Province for its share of duties on all articles imported into Lower Canada could be established by British Act of Parliament or Orders in Council from period to period, upon receiving the representations of both Provinces, or by one or more Commissioners sent from Great Britain, and remunerated at our joint expense, as the relative proportions of consumption will be constantly varying.

Whether the duties might not be paid into the hands of a Collector, the Joint

Officer of both Provinces, who should pay over semi-annually the respective proportions to each, keeping all in his hands until he was enabled to make such distribution, and subject to no control by the Legislature of Lower Canada; or whether some more effectual and less exceptional measures than any here suggested cannot be devised for securing to each Province its right solely from the just mediation of the Parent State, without dependence of either on the other, must be left, where both should most desire to leave it, to the paternal care of our Sovereign and the wisdom of his Parliament.

The true interests of the Provinces of Canada, and the preservation of that uninterrupted and cordial harmony and good will which ought to subsist between two distant colonies, members of the same great and glorious empire, and inhabiting together one of the most honorable conquests ever achieved by her arms, call for this appeal, and both should equally desire that to every purpose of justice it should be speedily effectual.

Your Committee have prepared the draft of an Address to His Majesty, conformably to the Resolutions referred to them, and should the Report which they have now made be approved by both Houses, they recommend that it should accompany the Address, the draft of which they now offer for their consideration, together with the appendix, and also copies of such parts of the Provisional Agreement and of the Statutes of Upper Canada and Lower Canada as are referred to in the said Report.

Your Committee further recommend that a copy of the Resolutions concurred in by both Houses, and of the Address to His Majesty, in which they may unite upon the subject matter thereof, together with a copy of this Report, be transmitted to His Excellency, the Lieutenant Governor, with an Address of both Houses praying that His Excellency will be pleased to communicate the same to the Government of Lower Canada for the information of the Legislature of that Province.

Your Committee lastly recommend that, considering the magnitude and variety of the objects to which the attention of His Majesty and the British Parliament is to be called by the proposed Address, their lasting importance to the inhabitants of this Province, and the urgent necessity of a speedy arrangement, it is highly expedient that a person of talent and respectability sufficient to solicit and represent the interests of this Province should be commissioned to present the address at the foot of the Throne, and that to that end a Bill should be passed authorizing the Governor to appoint a Commissioner for that purpose, and appropriating an adequate sum for the remuneration of so important a service.

(Signed) Will'm Dickson, Chairman of the Committee of the Legislative Council; John Strachan, George H. Markland.

Jno. B. Robinson, Chairman of the Committee of Assembly; Alex'r McDonell, Jonas Jones, M. Burwell, Arch'd McLean, Rob't Hamilton.

Joint Committee Room, 22nd December, 1821.

A

See Report of Commissioners.

B

To His Excellency Sir John Coape Sherbrooke, Governor in Chief, etc.

May it please Your Excellency: We, the undersigned, Commissioners from Upper Canada, beg leave to submit to Your Excellency for consideration the following circumstances that have occurred in investigating the claims of Upper Canada with the Commissioners appointed for the Province of Lower Canada.

First, That by an Act, passed by the Parliament of Lower Canada in the fifty-third year of His Majesty's reign, chapter 1, no account of duties accruing to the Province of Upper Canada under the said Statute have been credited for a period from the 13th February, 1813, till the 31st of December following, whereby the sum of £5,177 5s. 4½d. became due to the Province of Upper Canada, and is still unpaid.

Second, Under the said Statute of the 53rd year of His Majesty's Reign, ch. 1, no account whatever of port wine was taken at Coteau du Lac from the 13thFebruary, 1813, till the 25th April, 1814. The quantity, therefore, cannot be ascertained exactly; the mode adopted to acquire the quantity is by taking the proportion of the year 1815, when port wine was distinguished from other wines correctly.

Third, The Statute of Lower Canada, passed in the 53rd year of His Majesty's Reign, ch. 11, imposing an advalorem duty of five per cent. on goods imported by non-residents of Lower Canada, took effect the 1st October, 1813. No account of goods under this Statute has been taken at the Coteau du Lac during its continuance, except the sum of £843. 6s 10d. in the year 1815.

Fourth, The said Statute of the 53rd of the King, ch. 11, imposes a duty of two and a half per cent. advalorem, and took effect the first October, 1813, without any account of goods being taken at the Coteau du Lac till the 25th April, 1814.

Fifth, All Military purchases made by the Commissariat in Lower Canada since the 1st October, 1813, under the foregoing Statutes were subject to the advalorem duty. No account of such goods passing into Upper Canada has been rendered to the Inspector at Coteau du Lac, although repeatedly required by the Inspector, as appears by the correspondence herewith.

The Commissioners from Lower Canada, considering they had no power to enter into the foregoing claims of the Province of Upper Canada, the same is respectfully submitted to Your Excellency, as per statement annexed from Your Excellency's most obedient and very humble servants,

(Signed) W. CLAUS, THOS. CLARK, ALLAN MCLEAN.

(Copy.)

B. Statement of the claim of the Province of Upper Canada upon the Province of Lower Canada for arrears of drawbacks between the 1st January, 1813, and 1st January, 1817.

1st.	On duties collected at Quebec under 53rd Geo. 3rd. chap. 1, and not accounted for to Upper Canada in the year 1813, on articles ascertained to have passed Coteau du Lac per statement marked "A."	£5,177	15	4½
2nd.	On duties collected at Quebec under the same Act on port wine, from 15th February, 1813, to 25th April, 1814. This cannot be ascertained to a certainty, but by approximation amount to 11,752 galls. at 1s.	587	12	0
3rd.	On Advalorem duty on Merchandise between 1st October, 1813, and 31st December, 1814, an account of which was only taken at Coteau du Lac between 25th April and 31st December, 1814, amounting during that period to £189,322 0s. 9d., which at the same rates given for the period between 1st October, 1813, and 24th April, 1814, £155,790, making in all £345,612 at £3 5s. ½d. per cent. which rate of percentage is taken from the proportion			

of goods imported into Quebec in the year ending 5th June, 1815, which amounted to £476,201 19s. 4d. at 5 per cent., and £1,105,917 8s. 1¼d. at 2½ per cent., which gives in Sterling duty . . . . . £ 11,239 11 9
and makes in currency 12,488 8 7
Less advalorem duty accounted for by Lower Canada 8,050 12 2
4,437 16 5

4th. On advalorem duties on £349,247 9s. 1½d. Sterling, goods passing Coteau du Lac in the year 1815, say 2 months and 24 days on this at £3 5s. ½d. per cent, and as the 5 per cent. duty expired on the 25th March of that year, the other 9 months and 7 days at 2½ per cent. gives £9,330 12 0
Sterling or Currency 10,367 6 0
Less 2½ per cent. and 5 per cent duty accounted for by Lower Canada to Upper Canada for that year 9,724 14 10
624 11 10

£10,845 15 7½

5th. On merchandise purchased by the Commissariat in Lower Canada, and sent to Upper Canada for the Army, Navy, Navy Yard, Commissariat, Quarter-Master General's Department, etc., since 1st October, 1813, of which no account was taken at Coteau du Lac, the drawbacks on which from that period to 1st January, 1817, will, in the estimation of the Commissioners, amount to a very large sum.
Exclusive of a balance due to Upper Canada on duties of 1817, £1,585.

Quebec, 9th June, 1817.

I certify the foregoing to be a true copy of a copy. D. CAMERON, Sec'y.

C

Castle of St. Louis,
Quebec, 10th June, 1817.

(Copy.)

Gentlemen:—His Excellency, the Governor in Chief, commands me to acquaint you that he has not failed to give due attention to the Statement and other documents which you transmitted to him yesterday relating to the claims of Upper Canada for duties to a large amount, collected in Lower Canada in the years 1813 and 1814 on goods passing into Upper Canada, but for which no allowance has been made to that Province.

Of the justice of some of these claims His Excellency has been convinced on the first view of the subject, but they are of such an extensive and complicated nature that he is desirous of receiving further information on the subject, both from the Inspector General of Provincial Accounts and from the Inspector at Coteau du Lac, after which he will still consider it necessary to take the advice of the Executive Council on the matter, and perhaps to submit some of the Claims which your statements embrace to the Legislature at their next Session.

Under these circumstances, His Excellency is convinced, you will see the impossibility of your receiving an immediate decision; but His Excellency directs me to assure you of his disposition to give a favorable consideration to the subject you

have brought before him, and of his desire to bring it to as speedy an issue as may be consistent with a due regard to the interests of this Province and a proper and regular course of proceeding.

I have the honour to be, Gentlemen, Your most obedient servant,

(Signed) ANDREW W. COCHRAN, Secretary.

William Claus, Thomas Clark, Allan McLean, Esquires, Commrs. for the Province of Upper Canada.

I certify the foregoing to be a true copy of a copy. (Sd.) D. CAMERON, Sy.

Mr. Attorney General, seconded by Mr. Jones, of Grenville, moves that this House do resolve itself into a Committee of the Whole, on Wednesday next, to take into consideration the Report of the Select Committee of both Houses, upon the subject of our Financial Relations with Lower Canada. Which was ordered.

Mr. Attorney General gives notice that he will move, on Wednesday next, that the House do resolve itself into a Committee of the Whole on Supply.

The House then adjourned till ten o'clock on Wednesday next.

Wednesday, 26th December, 1821.

The House met. The minutes of Saturday were read.

Agreeably to the order of the day, the Methodist Relief Bill was read the third time.

Mr. Ruttan, seconded by Mr. Jones, of Grenville, moves that the Seventh Clause of the Bill be expunged.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Willson (P. Edwd.), Pattie, Randal, Clark, White, Casey, Peterson, Ruttan, Jones (Grenville), Wilmot, Van Koughnet.

Nays: Messrs. Bostwick, Nichol, Gordon, Walsh, Baldwin, Willson (Went.), Kerr, Bidwell, Shaver, McDonell, Attorney General.

The question was carried in the affirmative by a majority of one, and ordered accordingly.

Mr. Casey, seconded by Mr. Shaver, moves for leave to bring up the Petition of the Freeholders of the Incorporated Counties of Lenox and Addington, and that the Sixth Rule of this House and the Rule of February, 1821, be dispensed with, and that it be now read. Which was granted, and the Petition brought up and read.

Mr. Casey, seconded by Mr. Shaver, moves that the Petition of Benjamin Fairfield and others be entered on the Journals, and that the Fifth Rule of this House be dispensed with as far as it relates to the same. Which was ordered, and the Petition is as follows:

To the Honorable House of Assembly of the Province of Upper Canada in Provincial Parliament assembled.

The Memorial of the undersigned, Freeholders of the Incorporated Counties of Lenox and Addington,

Humbly Showeth: That being informed that certain Freeholders of these Counties have petitioned Your Honorable House to set aside the election of Barnabas Bidwell, Esquire, one of the Representatives of these Counties, on the ground of his former residence in the United States, his having held certain Civil Offices,

and taken an Oath of Allegiance there, and the circumstances attending his removal thence into this Province in the year of Our Lord 1810, and taking the Oath of Allegiance here in 1812, whereby it is alleged that he is morally incapacitated although legally eligible and duly elected. The Memorialists beg leave to represent that the objections aforesaid against the said Barnabas Bidwell were fully stated and explained to the electors of these Counties, who took them into consideration, inquired into the facts and circumstances, and gave them all the weight they appeared to them to deserve in forming their choice.

The Memorialists further represent that the said Barnabas Bidwell has resided in this District, and principally in these counties, not merely seven years, the term of probation required by law in such cases, but more than eleven years, during the whole of which time the electors of these Counties have had an opportunity of observing him personally and knowing his manner of life, his habits and pursuits, his conduct and conversation, his moral and political principles and practice, in all which respects they have found him not only unexceptionable, but exemplary and highly meritorious.

Such an uniform course of good conduct for such a series of years, even if he were in fault in some former period of his life, would entitle him to the confidence and support of the electors, who are competent and constitutional judges of the moral as well as political qualifications and character of the person whom they choose to act for them as their representative.

The Memorialists further represent that the said Barnabas Bidwell did not propose himself as a candidate, but was nominated and proposed by the electors, and was fairly and honorably elected by a clear majority of their votes. Being legally eligible and thus duly elected and returned, the Memorialists remonstrate and protest against the prayer of said Petition to set aside his election, and hereby pray that they may be indulged and protected in the free exercise of their constitutional right of choice.

And, as in duty bound, will ever pray.

December 6th, 1821.

Signed by Benj. Fairfield and thirty-three others.

Dr. Baldwin, seconded by Mr. Willson of Wentworth, moves that the Methodist Relief Bill be now recommitted.

In amendment, Mr. Jones of Grenville, seconded by Mr. Van Koughnet, moves that after the word "Bill" in the original motion the whole be expunged, and the following words inserted: "do now pass, and that it be intituled 'An Act to confirm and make valid certain Marriages heretofore contracted, and further to provide for the future solemnization of Marriage within this Province.'"

On motion of Mr. Willson of Wentworth, the previous motion was put and carried.

Mr. Nichol, seconded by Mr. Gordon, moves that his notice for motion for inquiry into the state of the Province be postponed to the first day of next Session. Which was carried.

Agreeably to notice, Mr. Nichol, seconded by Mr. Bostwick, moves that it be resolved that the Resolution of this House to provide for the appointment of a Stenographer to report the debates thereof, being a temporary measure and not founded on any parliamentary usage or precedent, be not deemed or considered a precedent for future practice, or quoted as such.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Bostwick, Nichol, Gordon, Willson (Wentworth), White, VanKoughnet, Kerr, Wilmot, Shaver, McDonell, Attorney General, Hamilton (Wentworth).

Nays: Messrs. Willson (P. Edwd.), Baldwin, Pattie, Clark, Randal, Horner, Ruttan, Peterson, Walsh, Casey, Jones (Grenville), Bidwell, Gates.

The question was decided in the affirmative by the casting vote of the Speaker, and resolved accordingly.

Agreeably to the order of the day, the House went into Committee on the Bill for the Relief of John White, Mr. Peterson in the Chair. The House resumed. Mr. Peterson reported the Bill as amended. Ordered, that the Report be received.

Mr. Ruttan, seconded by Mr. Casey, moves that the Bill granting Relief to John White be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. McDonell, moves that he have leave to bring in a Bill to amend an Act, passed in the fifty-ninth year of His late Majesty's Reign, for incorporating a Provincial Bank. Which was granted and the Bill read.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Bank Bill be read a second time to-morrow. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Gordon, moves that it be resolved that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct the proper officers to lay before this House a copy of a Proclamation issued by the late Lieutenant Governor, John Graves Simcoe, Esquire, in the year 1791 or 1792, inviting Americans to become Settlers in this Province; also a copy of a Proclamation of the said Lieutenant Governor John Graves Simcoe, Esquire, for dividing this Province in Counties and Districts. Which was carried.

Mr. Nichol, seconded by Mr. Gordon, moves that Messrs. Walsh and Horner be a Committee to draft an Address to His Excellency the Lieutenant Governor on the preceding Resolution. Which was ordered.

Agreeably to the order of the day, the Bill sent down from the Honorable the Legislative Council intituled "An Act to extend the powers of the District Court of this Province" was read the second time.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that the House do now resolve itself into a Committee, to take into consideration the Bill intituled "An Act to extend the powers of the District Courts in this Province." Which was carried, and Mr. Gates took the Chair of the Committee. The House resumed. Mr. Gates reported progress, and asked leave to sit again to-morrow. Ordered, that the Report be received, and leave was granted accordingly.

Mr. Casey gives notice that he will, on Friday next, move for leave to bring in a Bill to grant a salary to the Attorney General in lieu of fees and other emoluments now paid out of the Public Moneys of this Province.

Mr. Nichol, seconded by Mr. Attorney General, moves for leave to bring up the Petition of Sundry Inhabitants of the Town of York, and that the Rule of 17th February last be dispensed with in so far as relates to the same. Which was granted, and the Petition brought up.

Mr. Nichol, seconded by Mr. Willson of Prince Edward, moves that the Sixth Rule of the House be dispensed with in so far as relates to the Petition of Sundry Inhabitants of the Town of York, and that it be now read. Which was carried, and the Petition of Sundry Inhabitants of the Town of York and its vicinity, praying

for Legislative patronage and aid for establishing Sunday School Institutions, was then read.

Mr. Nichol, seconded by Mr. Attorney General, moves that the Petition of Sundry Inhabitants of the Town of York be referred to a Select Committee, to be composed of Messrs. Baldwin and Willson of Wentworth, and that they report by Bill or otherwise, and that the Fifth Rule of the House be dispensed with in so far as it relates to the said Petition. Which was carried.

Mr. Attorney General gives notice that he will on to-morrow move for leave to bring in a Bill to make provision for certain Sheriffs in this Province.

The House then adjourned till ten o'clock to-morrow.

Thursday, 27th December, 1821.

The House met. The minutes of yesterday were read.

Mr. Walsh, seconded by Mr. Hamilton of Wentworth, moves for leave to bring up the Petition of Martha Barnam, of the Township of Charlotteville, in the London District. Which was granted, and the Petition brought up.

Mr. Casey, seconded by Mr. Fraser, moves for leave to bring up the Petition of Sundry Inhabitants of the Counties of Lennox and Addington. Which was granted, and the Petition brought up.

Agreeably to the order of the day, the Bill for the Relief of John White was read for the third time.

Mr. Ruttan, seconded by Mr. Wilmot, moves that the Bill do now pass, and that the title be "An Act for the Relief of John White." Which was carried and the Bill signed.

Mr. McMartin, seconded by Mr. Gates, moves that Messrs. Ruttan ond Chisholm be a Committee to carry up to the Honorable the Legislative Council the Bill for the Relief of John White, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Guardian Bill, Mr. Randal in the Chair. The House resumed. Mr. Randal reported the Bill as amended. Ordered, that the Report be received.

Mr. Bidwell, seconded by Mr. VanKoughnet, moves that the Guardian Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Joint Report, Mr. McLean of Stormont in the Chair. The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message, and the Bill intituled "An Act to establish a Market in the Town of Perth in the County of Carlton," which they had passed without amendment; and having withdrawn, the Message was read by the Speaker as follows:—

Mr. Speaker.—The Honorable the Legislative Council request a renewal of the conference with the Commons House of Assembly, on the subject of the several Addresses recommended in the Report of the Joint Committee on the Financial Relations of this Province with Lower Canada.

The Committee of the Legislative Council are now ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room.

WM. DUMMER POWELL, *Speaker.*

Legislative Council Chamber, 27th December, 1821.

Mr. Nichol, seconded by Mr. Walsh, moves that the House do concur in the request of the Honorable the Legislative Council for a renewal of the conference, on the subject of the several Addresses proposed by the Joint Committee on our relations with Lower Canada. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Friday, 28th December, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Guardian Bill was read the third time. Mr. Bidwell, seconded by Mr. Shaver, moves that the Guardian Bill do now pass, and that it be intituled "An Act to provide for the appointment of Guardians." Which was carried, and the Bill signed.

Mr. Bidwell, seconded by Mr. Shaver, moves that Messrs. Gordon and Bostwick be a Committee to carry up to the Honorable the Legislative Council the Guardian Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to notice, Mr. Willson of Wentworth, seconded by Mr. Hamilton of Wentworth, moves that it be resolved that an Address be presented to His Excellency the Lieutenant Governor requesting that he would be pleased to direct His Majesty's Attorney General to prosecute the securities of Daniel Spilman, for the recovery of the sum of £500, granted by two Acts of the Legislature of this Province for the purpose of building a Bridge across the Grand River, the said Daniel Spilman having failed in the contract entered into by him for that purpose. Which was carried.

Mr. Willson of Wentworth, seconded by Mr. Casey, moves that Messrs. Hamilton of Wentworth and Horner be a Committee to draft an Address to His Excellency the Lieutenant Governor on the subject of the Grand River Bridges. Which was ordered.

Mr. Walsh, from the Committee to draft an Address to His Excellency the Lieutenant Governor relative to certain Proclamations, reported a draft, which was received and read the first time.

Mr. Walsh, seconded by Mr. VanKoughnet, moves that the Address to His Excellency the Lieutenant Governor, for certain proclamations, be read a second time this day, and that the Fifth Rule of the House be dispensed with as far as relates to the same. Which was ordered, and the draft was read the second time.

Mr. Walsh, seconded by Mr. VanKoughnet, moves that the House do now resolve itself into a Committee on the Address to His Excellency the Lieutenant Governor for certain Proclamations. Which was ordered, and Mr. Bostwick took the Chair of the Committee. The House resumed. Mr. Bostwick reported the Address without amendment. Ordered, that the Report be received.

Mr. Walsh, seconded by Mr. Chisholm, moves that the Address to His Excellency the Lieutenant Governor be engrossed. and read a third time this day. Which was ordered.

Mr. Attorney General, from the Committee to confer with the conferees of the Honorable the Legislative Council on the subject of Financial Arrangements between this Province and that of Lower Canada, informed the House that the Joint Committee had agreed to a Report, which he was ready to submit whenever the House would be pleased to receive it. Ordered, that the Report be received, and it was read as follows:

JOINT COMMITTEE ROOM, December 27th, 1821.

The Committee of the Commons House of Assembly, appointed to confer with the Committee of the Honorable the Legislative Council upon the subject of the Financial Relations of this Province with Lower Canada, met the latter in the Joint Committee Room at four o'clock this day, when the Committee of the Honorable the Legislative Council proposed to Your Committee that the following amendments should be made in the Address to His Majesty, the draft of which has been reported to both Houses, that is to say, to expunge the words "May it please Your Majesty," at the top of the first page, and to insert in lieu thereof the words "Most Gracious Sovereign," and in last paragraph of the said Address to expunge the words "take this occasion to renew our assurances," and insert instead thereof the words, "beg leave to renew our humble assurances," and to expunge the words "we beg" before the words "to express," in the latter part of the same paragraph.

And the Committee of Conference on the part of the Honorable the Legislative Council further proposed to Your Committee that in the Joint Report respecting our Financial Relations with Lower Canada, the words "which had before been paid from the Military chest" be expunged, and the words "which had before been paid from other sources" inserted in lieu thereof.

In which amendments to the said Address and Report Your Committee concurred, and recommend the adoption of the same to this House.

(Signed) JNO. B. ROBINSON, Chairman of Committee of Conference of Assembly.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Report of the Committee of Conference, respecting our Financial Relations with Lower Canada, be referred to the Committee of the Whole House on the Joint Report on that subject. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Joint Report relative to our Financial Arrangements with Lower Canada, Mr. McLean of Stormont in the Chair. The House resumed. Mr. McLean reported progress, and asked leave to sit again to-day. Ordered, that the Report be received, and leave was granted accordingly.

Mr. Attorney General, from the Joint Committee appointed by both Houses to draft a Joint Address to His Excellency the Lieutenant Governor relative to an Address to His Majesty, &c., informed the House that the Joint Committee had agreed to draft two Addresses, which he was ready to submit whenever the House should please to receive the same. Ordered, that the Report be received, and the drafts of Addresses were read as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc. May it please Your Excellency: The Legislative Council and House of Assembly in Provincial Parliament assembled have concurred in a Report and in an Address to His Majesty, respecting our Financial Relations with the Province of Lower Canada, and as the matters stated in the said Address and Report, and also the prayer of the Address, relate to the Acts and may affect the interests of that Province, we herewith lay before Your Excellency a copy of the same, and humbly pray Your Excellency to take the earliest opportunity of transmitting it to the Government of Lower Canada, for the information of the Legislature of that Province.

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of

Upper Canada, and Major General commanding His Majesty's Forces therein, etc. May it please Your Excellency: The Legislative Council and House of Assembly in Provincial Parliament assembled have concurred in a Report, with certain documents annexed thereto, and, agreed on a Joint Address to His Majesty, praying that Our Most Gracious Sovereign, in consideration of the difficulties which have occurred in adjusting our Financial Relations with Lower Canada, would be pleased to recommend to the Imperial Parliament to adopt such measures for ascertaining and confirming our just claims as they in their wisdom may devise.

They therefore entreat that Your Excellency will be pleased to cause their Address to His Majesty, with the Report and Documents, to be laid at the foot of the Throne.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message, and having withdrawn the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have concurred in the Report of their Committee of Conference on the Financial Concerns of this Province with Lower Canada, and have adopted the Address to His Majesty recommended by the Committee.

Legislative Council Chamber,
28th December, 1821. WM. DUMMER POWELL, Speaker.

Agreeably to order, the Address to His Excellency, the Lieutenant Governor, on the subject of certain Proclamations, was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, etc. May it please Your Excellency: We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, most humbly request that Your Excellency will be pleased to direct the proper officer to lay before us a copy of any Proclamation issued by the late Lieutenant Governor, John Graves Simcoe, in the year 1791 or 1792, inviting Americans to become Settlers in this Province.

Also a copy of a Proclamation issued by the said Lieutenant Governor, John Graves Simcoe, for dividing the Province into Districts and Counties.

Commons House of Assembly,
28th December, 1821. LEVIUS P. SHERWOOD, Speaker.

Mr. Walsh, seconded by Mr. Ruttan, moves that Messrs. Gordon and Van-Koughnet be a Committee to wait upon His Excellency the Lieutenant Governor with the Address, and to present the same. Which was ordered.

The House went again into Committee on the Joint Report relative to Financial Arrangements with Lower Canada, Mr. McLean in the Chair.

The House resumed. Mr. McLean reported that the Committee had agreed to two Resolutions, which he was directed to submit for the adoption of the House, and asked leave to sit again to-day.

Ordered, that the Report be received and leave granted, and it was

Resolved, That it is the opinion of this House that the Joint Report of the Select Committee of both Houses, upon the Financial Arrangements of this Province with Lower Canada, be concurred in.

Resolved, That it is the opinion of this House that a renewal of the conference

with the Honorable the Legislative Council, on the subject of our Financial Relations with Lower Canada, be requested, for the purpose of proposing certain amendments to the Address to His Majesty reported from the Joint Committee.

Mr. Nichol, seconded by Mr. Shaver, moves that Messrs. Jones of Grenville and McLean of Stormont be appointed to request a renewal of the conference with the Honorable the Legislative Council on the subject of the Financial Relations of this Province with Lower Canada, agreeably to the Resolution of this day to that effect. Which was ordered.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council in and to the Road Amendment Bill were read the second time.

On the first amendment being again read, debates ensued.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that the debate on the amendments of the Honorable the Legislative Council in and to the Road Amendment Bill, sent up from this House, be adjourned to Monday next. Which was ordered.

Agreeably to the order of the day, the Bill, sent down from the Honorable the Legislative Council, to Restrain the Custom of Cattle running at Large, was read the second time.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that the House do now resolve itself into a Committee of the Whole on the Bill to Restrain the Custom of permitting Cattle to run at large. Which was ordered, and Mr. Willson of Prince Edward took the Chair of the Committee. The House resumed, the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message, and having withdrawn the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have assented to a renewal of the conference with the Commons House of Assembly, on the subject of our Financial Relations with Lower Canada.

The Committee of the Legislative Council are now ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room.

Legislative Council Chamber,
28th December, 1821. WM. DUMMER POWELL, Speaker.

Mr. Nichol, seconded by Mr. Gordon, moves that it be resolved that it be an instruction to the Committee of conference to propose to the Joint Committee the adoption of the following amendments to the Joint Address to His Majesty: that after the words "in and from the Port of Quebec" the following be inserted, "or to make such other enactments for securing to each Province its rights as Your Majesty, by the advice of Your Imperial Parliament, shall deem expedient"; that after the words "Formally ratified," the whole of the Address excepting the last clause be expunged. Which was ordered.

Mr. Willson of Wentworth, seconded by Mr. Casey, moves that the Sixth Rule of this House be dispensed with so far as to enable him to move that the Methodist Relief Bill be on the order of the day for to-morrow, and that the said Bill be on the order of the Day for to-morrow accordingly. Which was ordered.

The House went again into Committee on the Bill for restraining the custom of permitting Cattle to run at Large, Mr. Willson of Prince Edward in the Chair. The House resumed. Mr. Willson reported the Bill without amendment. Ordered, that the Report be received.

Mr. Jones of Grenville, seconded by Mr. Casey, moves that the Bill to

Restrain the Custom of Permitting Cattle to Run at Large be read a third time this day, and that the Fifth Rule of the House be dispensed with as far as relates to the same. Which was carried.

Agreeably to the order of the day, the Bill to restrain the custom of permitting Horned Cattle, Sheep and Swine to run at large, was read a third time, passed and signed by the Speaker.

Mr. Jones of Grenville, seconded by Mr. Gates, moves that Messrs. Robinson and Kerr be a Committee to acquaint the Honorable the Legislative Council that this House have passed the Bill, sent down from that House, intituled "An Act to repeal in part a certain part of an Act, passed in the forty-third year of His Late Majesty's Reign, intituled An Act to extend the provisions of an Act, passed in the thirty-fourth year of His Majesty's Reign, intituled An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large, and further to enable the Magistrates in the respective Districts in this Province, in General Quarter Sessions assembled, to make such rules and regulations as may restrain Swine running at large in the respective Towns in this Province, where a police is or may hereafter be established by Law," without amendment. Which was ordered.

Mr. VanKoughnet, from the Committee to whom was referred the Petition of John Crysler, informed the House that the Committee had agreed to report by a Bill, which he was directed to submit whenever the House would be pleased to receive the same. Ordered, that the Report be now received, and the Bill was read the first time. Mr. VanKoughnet, seconded by Mr. Jones of Grenville, moves that the Bill Granting Relief to John Crysler, Esquire, be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Bill, sent down from the Honorable the Legislative Council, intituled "An Act to repeal part of and amend the laws now in force respecting the Practice of His Majesty's Court of King's Bench in this Province," Mr. Walsh in the Chair. The House resumed. Mr. Walsh reported progress, and obtained leave to sit again to-morrow.

Mr. Attorney General, seconded by Mr. McDonell, moves that a Message be sent to the Honorable the Legislative Council, to inform them that this House has adopted the Report of the Joint Committee of both Houses upon the Financial Relations of this Province with Lower Canada, and that Messrs. Gordon and Gates be ordered to carry up the said Message. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Saturday, 29th December, 1821.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Gordon, from the Committee to wait upon His Excellency, the Lieutenant Governor with the Address of this House requesting certain Proclamations, and to present the same, reported they had done so, and that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly: I shall give immediate directions to the proper officer to lay before your House the papers prayed in your Address.

Mr. Hamilton of Wentworth, from the Committee to draft an Address to His Excellency, the Lieutenant Governor, on the subject of the Bridge at the Grand River, reported a draft, which was received and read the first time.

Mr. Willson of Wentworth, seconded by Mr. Casey, moves that the Address to His Excellency, the Lieutenant Governor, on the subject of the Grand River Bridge, be read a second time on Monday.

In amendment, Mr. Nichol, seconded by Mr. Clark, moves that after the words in the original motion "read a second time" the remainder be expunged and the words "this day three months" be inserted. Which was lost.

On the original question being put the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson (Wentworth), Willson (P. Edward), Pattie, Randal, White, Hamilton (Wentworth), Horner, McMartin, Chisholm, Baby, Burwell, Peterson, Jones (Grenville), Gordon, Kerr, Gates, VanKoughnet, Casey, Bidwell, Shaver, McDonell.

Nays: Messrs. Hagerman, Nichol, Bostwick, Baldwin, Walsh, Clark, Crooks, Ruttan, Robinson, Wilmot, McLean (Storm't).

The question was carried in the affirmative by a majority of ten, and ordered accordingly.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message, and having withdrawn, the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have adopted the amendments to the Address to the King proposed by the Committee of Conference on the subject of the Financial Relations of this Province with Lower Canada.

Legislative Council Chamber,
29th December, 1821. WM. DUMMER POWELL, Speaker.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act for assigning Limits to the respective Gaols within this Province," which they had passed with some amendments, and which they recommended to the adoption of this House: and having withdrawn, the amendments were read as follows:

Press. 2, line 5, After "limits" insert "Provided nevertheless that during such time as any Debtor in execution shall have the liberty of such limits as aforesaid, such debtor shall not be entitled to receive from the plaintiff in the action any weekly maintenance by reason of any Statute for the benefit of insolvent debtors."

Press. 2, line 18, After "Officer," insert "on such Debtor or Debtors so withdrawing or departing."

Press. 2, line 18, After "the" expunge "bail bonds" and insert "security."

Press. 3, line 6, After "the" expunge "Bond" and insert "security."

Mr. Jones of Grenville, seconded by Mr. Gates, moves that the amendments made by the Honorable the Legislative Council to the Bill intituled "An Act for assigning Limits to the respective Gaols within this Province," sent up from this House, be read a second time on Tuesday next. Which was ordered.

Agreeably to the order of the day, the House went into the Trial of the Lennox and Addington Election.

Members present, sworn: Messrs. Speaker, McDonell, McMartin, Pattie, McLean of Stormont, VanKoughnet, Shaver, Gates, Jones of Grenville, Hagerman, Casey, White, Willson of Prince Edward, Peterson, Ruttan, Robinson, Baldwin, Attorney General, Clark, Kerr, Randal, Horner, Burwell, Nichol, Walsh, Gordon, Baby, Hamilton of Wentworth, Crooks, Chisholm, Wilmot, McLean of Frontenac, and Bostwick.

Thomas Williams, of Adolphustown, Esquire, appeared at the Bar as Agent for the Petitioners, having given the Bond, as required by the Resolution of Saturday, 1st December.

Mr. Solicitor General appeared at the Bar, as Counsel for the Petitioners, and opened his case.

The House then adjourned till ten o'clock, a.m., on Monday next.

Monday, 31st December, 1821.

The House met. Prayers were read. The minutes of Saturday were read.

Mr. Walsh, seconded by Mr. Ruttan, moves for leave to bring up the Petition of James Carrol, of the Town of York, in the Home District. Which was granted, and the Petition brought up.

Agreeably to order, Dr. Baldwin's motion of the 26th, for recommitting the Methodist Relief Bill, was put and lost.

Mr. Jones of Grenville, seconded by Mr. VanKoughnet, moves that the Bill do now pass, and that it be intituled "An Act to confirm and make valid certain marriages heretofore contracted, and further to provide for the future Solemnization of Marriage within this Province."

In amendment, Dr. Baldwin, seconded by Mr. Bostwick, moves that the following clause be added as a Rider:

"And be it further enacted by the authority aforesaid that nothing in this Act shall extend or be construed to extend to invalidate any marriage heretofore solemnized according to law." Which was lost.

On the original question being put the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Gates, Burwell, Pattie, Randal, Willson (Went'h), Wilmot, White, Clark, Chisholm, Jones (Grenville), Kerr, Casey, Ruttan, Crooks, Walsh, Peterson, Bidwell, Willson (P. Edward), VanKoughnet, Shaver.

Nays: Messrs. Nichol, Hagerman, Bostwick, Gordon, Baldwin, Robinson, McLean (Stormont), McMartin, McDonell, Attorney General.

The question was carried in the affirmative by a majority of ten, and the Bill signed.

Mr. Casey, seconded by Mr. Bidwell, moves that Messrs. Willson of Wentworth and Shaver be a Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to confirm and make valid certain Marriages heretofore contracted, and further to provide for the future Solemnization of Marriage within this Province," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Bill, sent down from the Honorable the Legislative Council, intituled "An Act to extend the powers of the District Courts in this Province," Mr. Gates in the Chair. The House resumed. Mr. Gates reported the Bill as amended. Ordered, that the Report be received.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves that the amendments to the Bill intituled "An Act to extend the powers of the District Courts in this Province" be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Trial of the Election for the Incorporated Counties of Lenox and Addington was proceeded in:

William Driscott, Robert Williams, and Duncan Bell.

Messrs. Driscott and Williams were then sworn.

Mr. Driscott was then examined, and while on examination produced the following documents:—

A.

Berkshire Ss. Commonwealth of Massachusetts. At the Supreme Judicial Court of said Commonwealth, begun and holden at Lennox within and for the said County of Berkshire, on the second Tuesday of September, in the year of Our Lord, one thousand eight hundred and ten.

The Jurors of the said Commonwealth upon their oath present that Barnabas Bidwell, of Stockbridge, in the said County of Berkshire, Esquire, on the twentieth day of February, in the year of Our Lord one thousand eight hundred and ten, and for a long time before and after that day, had been and was the Treasurer of the County of Berkshire, duly and legally chosen, appointed and qualified to perform and discharge the duties of said Office, and had then and there accepted the same office and then and there by virtue thereof had and kept in his custody and possession a certain book of accounts, containing the accounts of him, the said Bidwell, as County Treasurer of said County of Berkshire with the said County, and also containing sundry accounts between him, the said Bidwell, Treasurer as aforesaid, and the said County which had been settled and adjusted, and also certain acquittances and discharges for and upon the payment of moneys entered thereon, in which book of accounts there was contained a certain account of him, the said Bidwell, in his capacity aforesaid with the said County of Berkshire, commencing on the eleventh day of October, in the year of Our Lord one thousand eight hundred and six, comprehending among other things an account of divers sums of money with which he, the said Bidwell, credited the said County of Berkshire in the aforesaid account, and there was also contained in the said book of accounts a certain acquittance or discharge signed by William Walker and Thomas Williams, Esquires, for and upon the payment of money which was entered upon and became part of said accounts last mentioned, and was then and there an acquittance and discharge of him, and said Bidwell of and for all the moneys with which the said Bidwell in the account last aforesaid had credited the said County of Berkshire; that part of said last mentioned account containing the sum with which the said Bidwell had credited the said County of Berkshire, and the acquittance and discharge aforesaid being then of the following purport and effect:

1805, Nov. 9th.	
By rec'd. of Thomas Hopkins, Esq., regis. of deeds for the southern district for duties on deeds from April 1st, 1804 to April 1st, 1805.	$34 82
1806, Jan. 13th.	
By rec'd. of Ezra Baker, for fines	12 33
" " Peter P. Curtis, Esq., for fines	2 00
" " Daniel Dewey, on recog. of Pardon Mason..	30 06
" " Esbor Gregory, Esq., for fines	6 00
" " Daniel Dewey, fines on recog. Daniel Harrington and 3 others	4 00
1806, Jan. 15th.	
By rec'd. of Jos. Woodbridge, Esq., Clerk of Sessions and Common Pleas for Jury fees and licenses at the January Term now last past	64 35
" " Joseph Tucker, Register of the Middle District, amount of his account for duties on deeds from April 1st, 1805, to April 1st, 1806	61 04

By rec'd. of Timothy Whitney, Register of deeds for the Northern District, amount of his account for duties on deeds, from April 1st, 1805, to April 1st, 1806	58 15
" Jury fees, licenses, duties, etc., not before credited as per statement on file marked "T"	633 52
By rec'd. of Thomas Hopkins, Esq., Register of deeds from Southern District, for duties on deeds from April 1st, 1805, to April 1st, 1806	35 32
" Fines, costs and duties rec'd according to statement ..	145 93
" arrearages of tax payable January 7th, 1804, from p. 54	15 30
" do January 1st, 1805, do	183 27
" do January 1st, 1805, do	582 86
" Tax payable May 1st, 1806	2,000 00
Berkshire Ss. October 31st. 1806.	$3,868 89

The Committee appointed by the Court of Sessions to examine and settle the account of Barnabas Bidwell, Esquire, County Treasurer, have attended to that service, and find, upon examining, that his accounts as charged and credited upon his book are well vouched and correctly cast, and that his charges of payments made since October 11th, 1805, when the last settlement was made with him, amount to $293.07, or that his charges of arrearages credited on his book in favor of the County, and not yet received but still due, amount to $721.94, so that the total amount of his charge is $3,658.95, that his credits including his whole receipts and also including the arrearages of taxes now due, and which are entered to complete the statement, amount to $3,868.89, so that there remains in the Treasurer's hands in favor of the County a balance of $209.94. In this statement there is not included any allowance to the said Treasurer for his services in said office since August Term, 1806, to which time the said Treasurer has been allowed for his services in said office.

WILLIAM WALKER.
THOMAS WILLIAMS.

And the Jurors aforesaid upon their oath aforesaid do further present that the said Bidwell, on the twentieth day of February aforesaid, with force and arms at Stockbridge in the County aforesaid, did falsely alter, forge and counterfeit, and cause to be falsely altered, forged and counterfeited that part of the account last aforesaid with the acquittance and discharge aforesaid then and there so as aforesaid entered thereon, and being a part of the same, which contained the sum with which the said Bidwell had credited the said County of Berkshire, and which is herein above recited and set forth, by falsely and fraudulently erasing and expunging from said account of the sums credited as aforesaid the figures $633.52, and by falsely and fraudulently making, forging and inserting in the place thereof the figures $365.50, which said figures $633.52, together with the words "By jury fees, licenses, duties, etc., not before credited," as by statement marked "T" next preceding the same figures before the false and fraudulent erasing and expunging of the same as aforesaid, did import and signify that the said Bidwell had received and credited the said County of Berkshire in the account aforesaid with the said sum of six hundred thirty-three dollars and fifty-two cents, but by reason and means of the false and fraudulent erasing and expunging of the figures aforesaid, and the false and fraudulent forging,

altering and inserting the said figures, $365.56, did together with the said words "By Jury fees, Licenses, Duties, etc., not before credited, as by statement marked "T" remaining and preceding the figures last mentioned, and falsely and fraudulently made, altered, forged, added and inserted as aforesaid, become, import and signify that the said Bidwell had received and credited the said County of Berkshire with the sum of three hundred and sixty-five dollars and fifty cents only, with intent the inhabitants of the said County to injure and defraud; in evil example to all others in like case to offend, and against the peace and dignity of the commonwealth aforesaid, and contrary to the form of the Statute in such cases made and provided.

Dan'l Davis, Solr. Genl, Oswald Williams, Foreman.

A true Bill.

Sept. Term, 1810—filed in Court on Motion of Solr. General, T. W. C.
A true copy of the indictment. Att. Chas. Sedgwick, Clerk.

Commonwealth of Massachusetts, Ss.

Lenox, Clerk's Office, Decr. 20, A.D. 1821.

I certify that the original indictment whereof the above is a copy is on file in the Clerk's Office, and now pending in the Supreme Judicial Court. Witness my hand and seal of said Court the day and year last above written.

Chas. Sedgwick, Clerk S. J. C.

B.

The Commonwealth of Massachusetts, Berkshire Ss.

To the Sheriff of the County of Berkshire or his Deputy, Greeting: We command you that immediately, without delay, you take Barnabas Bidwell, Esquire, of Stockbridge in the said County of Berkshire (if he may be found in your precinct) and him safely keep, so that you have him before our Justices of our Supreme Judicial Court to be holden at Lenox within and for our County of Berkshire aforesaid, on the first Tuesday after the fourth Tuesday of April next, then and there in our said Court to answer us upon an Indictment found against him by the Grand Inquest for the body of our County of Berkshire, which said indictment is in the words and figures following, viz.: Berkshire, Ss. Commonwealth of Massachusetts. At the Supreme Judicial Court of said Commonwealth, begun and holden at Lenox in and for the said County of Berkshire, on the second Tuesday of September, in the year of Our Lord one thousand eight hundred and ten, The Jurors for the said Commonwealth, upon their oath, present that Barnabas Bidwell of Stockbridge, in the said County of Berkshire, Esquire, on the Twentieth day of February, in the year of Our Lord one thousand eight hundred and ten, and for a long time before and after that day, had been and was the Treasurer of the County of Berkshire, duly and legally chosen, appointed and qualified to perform and discharge the duties of said office, and had then and there accepted the same office, and then and there by virtue thereof had and kept in his custody and possession a certain book of accounts containing the accounts of him, the said Barnabas Bidwell, as County Treasurer of said County of Berkshire with the said County, and also containing sundry accounts between him, the said Bidwell, Treasurer as aforesaid, and the said County which had been settled and adjusted, and also certain acquittances and discharges for and upon the payment of money entered thereon, in which book of accounts there was contained a certain account of him, the said Bidwell, in his capacity aforesaid with the said County of Berkshire, commencing on the eleventh day of October, in the year of Our Lord one

thousand eight hundred and five, and ending on the thirty-first day of October, in the year of Our Lord one thousand eight hundred and six, comprehending, among other things, an account of divers sums of money with which he, the said Bidwell, had credited the said County of Berkshire in the aforesaid account; and there was also contained in the said Book of accounts a certain acquittance or discharge, signed by William Walker and Thomas Williams, esquires, for and upon the payment of money which was entered upon and became a part of said accounts last mentioned and was then and there an acquittance and discharge of him, the said Bidwell, of and for all the moneys with which the said Bidwell in the account last aforesaid had credited the said County of Berkshire; that part of the said last mentioned account containing the sums with which the said Bidwell had credited the said County of Berkshire, and the acquittance and discharge aforesaid being then of the following purport and effect:

1805, Nov. 9th.	
By rec'd. of Thomas Hopkins, Esq., register of deeds for the Southern District, for duties on deeds from April 1st, 1804, to April 1st, 1805 ..	$34 82
1806, Jan. 13th.	
By rec'd. of Ezra Baker Esq., for fines	12 33
" " Peter B. Curtis, Esq., fines	2 00
" " Esbor Gregory, Esq., fines	6 00
" " Daniel Dewey, on recog. of Pardon Mason	30 00
" " Daniel Dewey fines on recog. Daniel Harrington and 3 others	4 00
1806, Jan. 15th.	
By rec'd. of Jos. Woodbridge, Esq., Clerk of Sessions and Common Pleas, for Jury Fees and Licenses at the January Term now last past	64 35
" " Jos. Tucker, Esq., Register of the Middle District, amount of his account for duties on deeds from April 1st, 1805, to April 1st, 1806	61 04
" " Timothy Whitney, Register of deeds for the Northern District, amount of his account for duties on deeds from April 1st, 1805, to April 1st, 1806	58 15
" Jury fees, Licenses, Duties, etc., not before credited, as by Statement on file marked T	633 52
" rec'd. of Thomas Hopkins, Esq., Register of Deeds for the Southern District, for duties on deeds, from 1st April, 1805, to 1st April, 1806....	35 32
" Fines, Costs and Duties rec'd according to Statement S.	145 93
" Arrears of taxes payable January 1804, from page 54..	15 30
" do do January 1st, 1805 do ..	183 27
" do do June 1st, 1805 do ..	582 86
" Tax payable May 1st, 1806	2,000 00
Berkshire Ss. October 31st 1806.	
	$3,868 89

Berkshire, Ss. October 31, 1806. The Committee appointed by the Court of Sessions to examine and settle the accounts of Barnabas Bidwell, Esquire, County Treasurer, have attended to that service, and find, upon examination, that his

accounts, as charged and credited upon his books, are well vouched and correctly cast, and that his charges of payments made since Oct. 11th, 1805, when the last settlement was made with him, amount to $2,937.61; that his charges for arrearages credited on his book in favor of the County, and not yet received, but still due, amount to $721.94, so that the total amount of his charges is $3,658.95, that his credits, including his whole receipts, and also including the arrearages of taxes now due and which are entered to complete the statement, amount to $3,868.89; so that there remains in the Treasurer's hands in favor of the County a balance of $209.94. In this settlement there is not included any allowance to the said Treasurer for his services in said office since August Term, 1806, to which Term the said Treasurer has been allowed for his services in said office.

William Walker.
Thomas Williams.

And the Jurors aforesaid, upon their oath aforesaid, do further present that he, the said Bidwell, on the Twentieth day of February aforesaid, with force and arms, at Stockbridge, in the County aforesaid, did falsely alter, forge and counterfeit, and cause to be falsely altered and counterfeited, that part of the account last aforesaid, with the acquittance and discharge aforesaid then and there as aforesaid entered thereon, and being a part of the same, which contained the sums with which the said Bidwell had credited the said County of Berkshire, and which is herein above recited and set forth, by falsely and fraudulently erasing and expunging from said account of the sums credited as aforesaid the figures $633.52, and by falsely, and fraudulently making, forging and inserting in the place thereof the figures $365.50, which said figures $633.52, together with the words "By Jury Fees, Licenses, Duties, etc., not before credited, as by statement marked T," next preceding the same figures before the false and fraudulent erasing and expunging of the same as aforesaid, did import and signify that the said Bidwell had received and credited the said County of Berkshire in the account aforesaid with the said sum of six hundred and thirty-three dollars and fifty-two cents, but by reason and means of the false and fraudulent erasing and expunging of the figures aforesaid, and the false and fraudulent forging, adding, altering and inserting the said figures $365.50, did, together with the said words "by Jury fees, licenses, duties, etc., not before credited, as by statement marked T" remaining and preceding the figures last mentioned, and falsely and fraudulently made, altered, forged, added and inserted as aforesaid, become, import and signify that the said Bidwell had received and credited the said County of Berkshire with the sum of three hundred and sixty-five dollars and fifty cents only with intent the inhabitants of the said County of Berkshire to injure and defraud, in evil example to all others in like case to offend, and against the peace and dignity of the Commonwealth aforesaid, and contrary to the form of the Statute in such cases made and provided.

Dan'l Davis, Solicitor General.

A true Bill.

Sept. Term, 1810—filed in Court,

On motion of the Solicitor General, T. W. C. Hereof fail not, and have you there then this Writ with your doings herein.

Witness, Theophilus Parsons, Esqr., at Boston, the 14th day of Nov., in the year of Our Lord 1810.

(Signed) Jos. Woodbridge, Clerk.

Berkshire, Ss. May 7th, 1811. I have made diligent search, and could not find the within named Bidwell within my precinct; therefore I have made no service.

(Signed) Stephen Willard, D'y Sheriff.

Berkshire, Ss. Clerk's Office at Lenox, Dec. 20, 1821.

I certify that the above is a true copy of the Writ of Capias vs. B. Bidwell, Esqr., and of the officer's return therein.

Att. Chas. Sedgwick, Clerk of S. J. Court.

C.

Berkshire, Ss. Commonwealth of Massachusetts.

At the Supreme Judicial Court of said Commonwealth, begun and holden at Lenox, within and for the said County of Berkshire, on the second Tuesday of September, in the year of Our Lord one thousand eight hundred and ten.

The Jurors for the said Commonwealth, upon their oath, present that Barnabas Bidwell, of Stockbridge, in the said County of Berkshire, Esquire, on the fourth day of December, in the year of Our Lord one thousand eight hundred and seven, was the County Treasurer of the said County of Berkshire, duly chosen into that office for a term not then expired, had accepted the same office, and been sworn and qualified according to law to discharge and perform all the duties thereof, and that said Bidwell being then and there duly and legally invested with the said office as aforesaid, was bound and obliged by law to improve, apply and employ all moneys by him received for the use of the said County and in his said capacity of County Treasurer for defraying the expenses and charges of said County of Berkshire, and was also bound and obliged by law faithfully and truly to account with the Court of Sessions for the said County of Berkshire, then by law established and existing, for all moneys by the said Bidwell received in his said capacity of County Treasurer for the use and benefit of said County, and to render the said Court of Sessions a just and true account thereof whenever he, the said Bidwell, should be thereto required. And the Jurors aforesaid, upon their oath aforesaid, do further present, that on the fourth day of December aforesaid, at Stockbridge, in the County aforesaid, the said Bidwell was duly and legally called upon and required by the said Court of Sessions to account with them for all moneys then in his hands as the Treasurer of said County of Berkshire, and to render to them a just and true account thereof, and to adjust and settle with them his, the said Bidwell's accounts with the said County as the Treasurer thereof. And the Jurors aforesaid, upon their oath aforesaid, do further present that before the fourth day of December aforesaid, viz., on the thirtieth day of October in the same year at said Stockbridge he, the said Bidwell, received of the Treasurer and Receiver General of the Commonwealth, and in his said capacity of Treasurer of said County of Berkshire, the sum of two hundred and fourteen dollars and twenty cents, which said sum was then and there paid to him, the said Bidwell, by the said Treasurer and Receiver General of the said Commonwealth, and by him, the said Bidwell, received in his said capacity of County Treasurer for the use and benefit of the Inhabitants of the said County of Berkshire, and was the proper money of, and of right belonged to the Inhabitants of said County, and ought to have been faithfully and truly accounted for by the said Bidwell with the said Court of Sessions and credited in his, the said Bidwell's, account which he was then and there so as aforesaid required to render, adjust and settle, and which he, the said Bidwell, did there and then render, adjust and settle with the said Court of Sessions, and which sum ought to have

been improved, applied and employed by him, the said Bidwell, to the defraying the expenses and charges of the said County of Berkshire.

Yet the said Bidwell, regardless of the duties of his said office in that particular, and of his oath faithfully and honestly to perform the same, but contriving and intending to cheat and defraud the inhabitants of the said County of the aforesaid sum of two hundred and fourteen dollars and twenty cents, did then and there wilfully, corruptly, fraudulently and deceitfully neglect and refuse to account for and credit the same to the said County of Berkshire in his account so as aforesaid rendered, adjusted and settled with the said Court of Sessions, and did then and there wilfully, corruptly, fraudulently and deceitfully, and with a design to cheat and defraud the said inhabitants of the aforesaid sum of two hundred and fourteen dollars and twenty cents, conceal from the said Court of Sessions the payment of said sum to him, the said Bidwell, by the said Treasurer and Receiver General of the Commonwealth, and his having received the said sum in manner aforesaid for the use and benefit of said County, but the same sum he, the said Bidwell, did then and there wilfully, corruptly, fraudulently and deceitfully waste, embezzle and unlawfully convert to his own use, to the great injury of the inhabitants of the said County, in violation of the duties and obligations of his office and oath aforesaid, to the evil and pernicious example of others in like case to offend, and against the peace and dignity of the Commonwealth aforesaid.

Daniel Davis, Solicitor General.

A true Bill. Oswald Williams, Foreman.

September Term at Lenox, 1810, filed in Court on motion of the Sol'r General, T. W. C.

A true copy. Att. Cha's Sedgwick, Clk.

Commonwealth of Massachusetts, Berkshire, Ss.

I certify that the original indictment, whereof the above is a copy, is now on file in the Clerk's Office, and that the same is pending in the Supreme Judicial Court.

Lenox, Dec'r 20th, A.D. 1821. Witness my hand and seal of said Court.

Cha's Sedgwick, Clk.

D.

Berkshire, Ss. The Commonwealth of Massachusetts.

To the Sheriff of our County of Berkshire or his Deputy, Greeting.

We command you that immediately, without delay, you take Barnabas Bidwell, Esquire, of Stockbridge, in the said County of Berkshire (if he may be found in your precinct) and him safely keep, so that you have him before our Justices of our Supreme Judicial Court, to be holden at Lenox within and for our County of Berkshire aforesaid, on the first Tuesday after the fourth Tuesday of April next, then and there on our said Court to answer us upon an indictment found against him by the Grand Inquest for the body of our County of Berkshire, which said indictment is in the words and figures following, to wit:

Berkshire Ss. Commonwealth of Massachusetts.

At the Supreme Judicial Court of said Commonwealth, begun and holden at Lenox, within and for the said County of Berkshire, on the second Tuesday of September, in the year of Our Lord one thousand eight hundred and ten, the

Jurors for the said Commonwealth, upon their oath, present that Barnabas Bidwell, of Stockbridge in the said County of Berkshire, Esquire, on the fourth day of December, in the year of Our Lord one thousand eight hundred and seven, was the County Treasurer of the said County of Berkshire, duly chosen into that office for a term not then expired, had accepted the same office, and had sworn and qualified according to law, to discharge and perform all the duties thereof, and that said Bidwell, being then and there duly and legally invested with the said office as aforesaid, was bound and obliged by law to improve, apply and employ all moneys by him received for the use of the said County and in his said capacity of County Treasurer for defraying the expenses and charges of said County of Berkshire, and was also bound and obliged by law faithfully and truly to account with the said Court of Sessions for the said County of Berkshire then by law established and existing for all moneys by the said Bidwell received in his said capacity of County Treasurer for the use and benefit of said County, and to render the said Court of Sessions a just and true account thereof whenever he, the said Bidwell, should be thereto required. And the Jurors aforesaid, upon their oath, do further present, that on the fourth day of December aforesaid, at Stockbridge in the County aforesaid, the said Bidwell was duly and legally called upon and required by the said Court of Sessions to account with them for all moneys then in his hands as the Treasurer of the said County of Berkshire, and to render to them a just and true account thereof, and to adjust and settle with them his, the said Bidwell's, accounts with the said County as the Treasurer thereof, And the Jurors aforesaid, upon their oath aforesaid, do further present, that before the fourth day of December aforesaid, viz., on the thirtieth day of October, in the same year at said Stockbridge, he, the said Bidwell, received of the Treasurer and Receiver General of the Commonwealth, and in his said capacity of Treasurer of said County of Berkshire, the sum of two hundred and fourteen dollars and twenty cents, which said sum was then and there paid to him, the said Bidwell, by the said Treasurer and Receiver General of the said Commonwealth, and by him, the said Bidwell, received in his said capacity of County Treasurer, for the use and Benefit of the inhabitants of the said County of Berkshire, and was the proper money of, and of right belonged to the inhabitants of said County, and ought to have been faithfully and truly accounted for by the said Bidwell with the said Court of Sessions, and credited in his, the said Bidwell's, accounts, which he was then and there so as aforesaid required to render, adjust and settle, and which he, the said Bidwell, did then and there render and settle with the said Court of Sessions, and which sum ought to have been improved, applied and employed by him, the said Bidwell, to the defraying the expenses and charges of the said County of Berkshire. Yet, the said Bidwell, regardless of the duties of his said offices and his oath faithfully and honestly to perform the same, but contriving and intending to cheat and defraud the inhabitants of the said County of the aforesaid sum of two hundred and fourteen dollars and twenty cents, did then and there wilfully, corruptly and fraudulently, and deceitfully neglect and refuse to account for and credit the same to the County of Berkshire on his account so as aforesaid rendered, adjusted and settled with the said Court of Sessions, and did then and there wilfully, corruptly, fraudulently and deceitfully, and with a design to cheat and defraud the said inhabitants of the aforesaid sum of two hundred and fourteen dollars and twenty cents, conceal from the said Court of Sessions the payment of said sum to him, the said Bidwell, by the said Treasurer and Receiver General of the Commonwealth, and his having received

the said sum in manner aforesaid, for the use and benefit of said County, but the same sum he, the said Bidwell, did then and there wilfully, corruptly, fraudulently and deceitfully waste, embezzle, and unlawfully convert to his own use, to the great injury of the inhabitants of the said County, in violation of the duties and obligations of his office and oath aforesaid, to the evil and pernicious example of others in like cases to offend, and against the peace and dignity of the Commonwealth aforesaid.

Daniel Davis, Solicitor General.

A true Bill. Oswald Williams, Foreman.

September Term at Lenox, 1810, filed in Court on motion of the Solicitor General, T. W. C.

Herein fail not, and make return of this Writ, with your doings herein, unto our said Supreme Judicial Court, to be held on the said first Tuesday after the fourth Tuesday of April next.

Witness, Theophilus Parsons, Esq., at Boston, the 14th day of Nov'r, in the year of Our Lord, 1810.

Jos. Woodbridge, Clerk.

Berkshire, Ss. May 7th, 1811.

Pursuant to the foregoing Warrant, I made diligent search, and could not find the said Barnabas Bidwell within my precinct, therefore I have made no service on said Warrant.

Stephen Willard, D'y Sheriff.

Berkshire, Ss. Clerk's Office at Lenox, Dec'r 20th, A.D. 1821 .

I certify that the above is a true copy of the Capias vs. B. Bidwell, Esqr., and of the Officer's return thereon.

Att. Cha's Sedgwick, Clerk Sup. Jud'l Court.

(L. S.)

Commonwealth of Massachusetts.

(L. S.) By His Excellency, John Brooks, Esqr., Governor and Commander in Chief.

J. Brooks, in and over said Commonwealth,

To all whom it may concern:

Know Ye that the Honorable Isaac Parker is Chief Justice of the Supreme Judicial Court in the said Commonwealth, duly constituted and commissioned, and that to his acts and attestations as such full faith and credit are and ought to be given in and out of Court.

In Testimony Whereof I have caused the Public Seal of the Commonwealth to be hereunto affixed, this eighteenth day of December, A.D. 1821, and in the forty-sixth year of the Independence of the United States of America.

By His Excellency, the Governor.

Alden Bradford, Secretary of the Commonwealth.

(L. S.) Commonwealth of Massachusetts.

I, Isaac Parker, Chief Justice, of the Supreme Judicial Court of the Commonwealth of Massachusetts, Do Certify that John Callendar, Esquire, whose signature is affixed to the paper hereto annexed, is Clerk of said Court, holden at Boston in the County of Suffolk, for the Counties of Suffolk and Nantucket and hath the keeping of all the ancient files, records and proceedings of said Court throughout

the Commonwealth, down to the first day of August, A.D. 1797, as well as of the file, records, and proceedings of said Court holden as aforesaid for said Counties of Suffolk and Nantucket subsequent to that time, and is by law the proper person to make out and to certify copies of all the records and proceedings of the said Supreme Judicial Court previous to the said first day of August, as well as of all records and proceedings of the said Court, holden as aforesaid, for the said Counties of Suffolk and Nantucket, subsequent to that time; and that full faith and credit is and ought to be given to his acts and attestations done as aforesaid, and that his attestation to the papers hereunto annexed, being numbered 1 and 2, are in due form.

In Testimony Whereof I have hereunto set my hand, and caused the Seal of said Court to be hereunto affixed this seventeenth day of December, one thousand eight hundred and twenty-one, and in the forty-sixth year of the Independence of the United States of America.

Issac Parker.

No. 1.

Commonwealth of Massachusetts.

Suffolk and Nantucket. } At the Supreme Judicial Court, begun and holden at Boston, within the County of Suffolk, and for the Counties of Suffolk and Nantucket, on the second Tuesday of March, being the eighth day of said month, in the year of Our Lord one thousand eight hundred and fourteen.

Commonwealth of Massachusetts.

Appellants vs. Barnabas Bidwell, of Stockbridge in the County of Berkshire, Esquire, Appellor from the Judgment of a Court of Common Pleas, begun and held at Boston, within and for the County of Suffolk, on the first Tuesday of July, A.D. 1811, when and where the Appellants were Plaintiffs, and the Appelee was Defendant. In a plea of the case for that the said Barnabas at said Boston, on the day of the purchase of the Writ, being indebted unto us in the sum of ten thousand dollars, for the like sum of money there before that time had and received to our use then and there in consideration thereof permitted to pay us that sum on demand. Yet the said Barnabas, though requested, has never paid said sum, but neglects so to do, to our damage, as we say the sum of ten thousand dollars; at which said Court of Common Pleas upon the Demurrer there judgment was rendered that the said Barnabas Bidwell recover against the said Commonwealth costs of suit, from which judgment the said Commonwealth appealed unto our said Supreme Judicial Court, then next to be holden at Boston within the County of Suffolk, and for the Counties of Suffolk and Nantucket, on the fourth Tuesday of November, A.D. 1811, and from thence said appeal was continued unto the then next March Term of said Supreme Judicial Court, when and where the said Barnabas Bidwell appeared, and the demurrer being waived, and the issue as tendered at said Court of Common Pleas and on file, joined the case after a full hearing was committed to a Jury; sworn according to law, to try the same, who returned their verdict therein upon oath, that is to say, they "find the Defendant did promise, and "Assess damages for the Plaintiffs in the sum of Five thousand six hundred and "forty-six dollars and sixty-four cents," and from thence the same was continued from Term to Term until this present Term for Judgment. And now it is therefore considered by the Court that the said Commonwealth of Massachu-

setts recover against the said Barnabas Bidwell the sum of five thousand, one hundred and eighty-eight dollars and eighty-three cents damage, and cost of suit taxed at one hundred and twenty-one dollars and six cents

A true copy, as appears of record.

Attest. Jno. Callendar, Clk. Sup. Jud'l Court.

COMMONWEALTH vs. BARNABAS BIDWELL.

BILL OF PARTICULARS.

Oct., 1792.	Rec'd	of Paul Blackman on recognizances	$15 53
"	"	of Cross Hulves for costs	43 07
"	"	of same (fine)	67 33
"	"	of John Hovey (costs)	7 39
"	"	of Sam'l. Horner and Ann Hill (fine and Costs).	145 22
Oct., 1793.	"	of Ezra Halze (costs)	34 15
"	"	of same (fine)	67 33
Nov., 1795.	"	of John Williams (costs)	24 82
Oct., 1797.	"	of Tristam Browning (costs)	34 59
Oct., 1799.	"	of William Denton (fine)	10 00
"	"	of Robert Claflin (fine)	169 99
Sep., 1800.	"	of Robert Watkins (fine)	10 00
"	"	of Luther Horton (fine)	10 00
Nov., 1803.	"	of David Dearning on exon. on recog. after deducting 133 paid as by resolve of the Gen'l. Court out of said recog.	847 58
Oct., 1803.	"	Samuel Mercy (costs)	17 15
"	"	William Billings (part of fine and costs)	17 25
May, 1800.	"	Tesse Allen (fine and costs)	48 35
Apr., 1804.	"	Josiah Winchet (costs)	51 35
Sep., 1804.	"	Sidney Bidwell (costs)	82 88
Apr., 1805.	"	Tubor Hungerford (costs)	19 60
Sep., 1805.	"	Timothy Chapman (fine and Costs)	32 51
Oct., "	"	Eliphalet Whittlesey (part of fine and costs) .. Residue above.	7 00
Apr., 1806.	"	Brewster & Baldwin (part of fine and costs)....	10 57
Sep., 1806.	"	Belial Kibber, on Judg't. on recognizances	172 52
Nov., 1806.	"	of Herman Keeler (fine and costs)	184 45
Dec., 1807.	"	of George Willson (part fine and costs)	50 00
Jan., 1808.	"	Benj. Keeler on Judgt. of recognizances	515 48
May, 1819.	"	Tenth Turnpike Corporation (costs)	9 05
"	"	Twelfth do do	9 33

Mischarged to Commonwealth Debt, and to whom paid.

May, 1801.	For Clerks' fees and sundry Jurors	$76 75		
	do do	61 88		
	do do	58 70		
1803.				
May, 30.	Paying Constables on venires, May Term, 1803 ..	23 84		
1804.				
Nov., 9.	do ..	21 17		
			241 81	
				$3,206 30
Apr., 1805.	Second allowance to Marshall Jones for same services		30 00	
	Sums received in Berkshire for fees of Attorney General, not accounted for		86 54	

All the above charges are taken from a report of a Committee appointed by the C. P. for Berkshire, dated 10 November, 1810, and filed in the Secretary's Office.

Mar., 1808.	Short Credit for moneys rec'd. from the Estate of William Morgan, by virtue of a resolve of the Legislature.	294 15
Nov., 1809.	Rec'd. from Benjamin Homans, Esq., Coronor, on an Ex'on Comm'th vs. White	500 00
	As above on ex'on Comm'th vs. Wheeler	30 26
	Upon this estate Mr. Bidwell acknowledges in his Af't. rendered to the Comm'th to have rec'd. of the Adm'r. the amount decreed by the Judge of Probate, $401.12, he sold certain lands belonging to said Estate for $513.30, and took a mortgage to himself, which last sum he thought, therefore, to be charged in full, making, after deducting the above charge of $294.15	219 15
		$4,366 40

In addition to the above Mr. Bidwell is to be charged all sums which may appear by the Accounts of County Treasurer, filed in the Secretary's office to have been paid him for Bills of Costs in Criminal cases, he not having accounts for any such sum.

He is likewise to be charged for all moneys advanced by the Commonwealth for Professional Services, which were never performed. Accounts in Secretary's Office.

He is likewise to respond all moneys which were advanced to him by the Commonwealth as County Treasurer being due to individuals which he has not paid over to those individuals, or to his successor in office. This will appear by his successor's accounts filed in the Secretary's Office.

Interest to be charged on all the above sums from the time of their receipt respectively.

A true Copy. Att. Jno. Callendar, Clk. Sup. Jud'l Court.

E.

(L.S.) Commonwealth of Massachusetts.

I, Isaac Parker, Chief Justice of the Supreme Judicial Court of the Commonwealth of Massachusetts, do certify that Charles Sedgwick, Esquire, is Clerk of the Judicial Court of Berkshire, and hath the keeping of the files, records and proceedings of said Courts, and is by law the proper person to make out and to certify copies of the Records and Proceedings of said Courts, and that full faith and credit is and ought to be given to his acts and attestations done as aforesaid.

In Testimony Whereof I have hereunto set my hand, and caused the Seal of the said Court to be hereunto affixed, this seventeenth day of December, Anno Domini, one thousand eight hundred and twenty-one, and in the forty-sixth year of the Independence of the United States of America.

Isaac Parker.

F.

(L.S.) Commonwealth of Massachusetts.
J. Brooks.

By His Excellency, John Brooks, Esquire, Governor and Commander in Chief in and over the said Commonwealth,

To all whom it may concern:—

Know Ye that Alden Bradford is Secretary of the said Commonwealth, and

that to his acts and attestations as such full faith and credit are and ought to be given in and out of Court.

In Testimony whereof I have caused the Public Seal of the Commonwealth to be hereunto affixed this fifteenth day of December, A.D. 1821, and in the forty-sixth year of the Independence of the United States of America.

By His Excellency, the Governor.

Alden Bradford, Secretary of the Commonwealth.

G.

I, , do truly and sincerely acknowledge, profess, testify and declare that the Commonwealth of Massachusetts is, and of right ought to be, a free, sovereign and independent State, and I do swear that I will bear true faith and allegiance to the said Commonwealth, and that I will defend the same against traitorous conspiracies, and all hostile attempts whatever, and that I do renounce and abjure all allegiance, subjection and obedience to the King of Great Britain, and every other foreign power whatsoever, and that no foreign Prince, person, prelate, state or potentate hath or ought to have any jurisdiction, superiority pre-eminence, authority, dispensing or other power in any matter civil, ecclesiastical or spiritual within this Commonwealth, except the authority and power which is or may be vested by their constituents in the Congress of the United States. And I do further testify and declare that no man or body of men hath or can have any right to absolve or discharge me from the obligations of this oath, declaration or affirmation, and that I do make this acknowledgment, profession, testimony, declaration, denial, renunciation and abjuration, heartily and truly according to the common meaning and acceptation of the foregoing words, without any equivocation, mental evasion or secret reservation whatever. So help me God.

I, , do solemnly swear and affirm that I will faithfully and impartially discharge and perform all the duties incumbent on me as according to the best of my abilities and understanding, agreeably to the rules and regulations of the Constitution and Laws of this Commonwealth. So help me God.

I, , do swear that I will support the Constitution of the United States.

Names. Office. County. Date.

The Oath of Allegiance, Oath of Office, and Oath to support the Constitution of the United States, as above, with the addition of his name in the blank spaces, and also of his office in the second paragraph, was subscribed by Barnabas Bidwell, Esquire, late Attorney General of this Commonwealth.

Allen Bradford, Secretary of the Commonwealth of Massachusetts.

June 15th, 1807.

H.

Mr. Secretary Cameron brought down a letter, and a certain Proclamation, and having withdrawn the Speaker read the same as follows:

Secretary and Reg'rs Office,
York, 31st December, 1821.

Sir,—I am commanded by His Excellency, the Lieutenant Governor, to furnish the Honorable the House of Assembly with copies of a Proclamation of Governor Simcoe's, dated 1791, or 1792, encouraging Americans to emigrate into this Province, and of a Proclamation dividing this Province into Counties and Ridings. I have now the honor to hand you the latter, and to inform you that having carefully searched I do not find the former Proclamation or the Registry of it in this office.

I have the honor to be, Sir, Your most obed't servant,

D. CAMERON, Sec'y Reg'r.

The Honorable the Speaker of the House of Assembly.

PROCLAMATION.

George the third by the Grace of God, of Great Britain and Ireland, King, Defender of the Faith, etc.

To all our loving Subjects, whom these presents may concern:

Whereas in pursuance of an Act of Parliament lately made and provided, passed in the thirty-first year of Our Reign, and of authority by us given for that purpose, our late Province of Quebec is become divided into the two Provinces of Upper Canada and Lower Canada, and our Lieutenant Governor of the said Province of Upper Canada, by power from us derived, is authorized in the absence of our right trusty and well beloved Guy Lord Dorchester, Captain General and Governor in Chief of our said Province of Upper Canada, to divide the said Province of Upper Canada into Districts, Counties, circles or Towns and Townships, for the purpose of effecting the intent of the said Act of Parliament, and to declare and appoint the number of Representatives to be chosen by each to serve in the Parliament of the said Province.

Know Ye Therefore that Our trusty and well beloved John Graves Simcoe, Esquire, our Lieutenant Governor of Our said Province of Upper Canada, in the absence of our said Governor in Chief, hath, and by this Our Proclamation doth divide the said Province of Upper Canada into Counties, and hath and doth declare and appoint the number of Representatives of them and each of them to be as hereinto after limited, named declared and appointed, that is to say, that the first of the said Counties be hereafter called by the name of the County of Glengarry, which County is to be bordered on the east by the lines that divide Upper from Lower Canada, and on the south by the River St. Lawrence, and westerly by the eastermost boundary of the late Township of Cornwall, running north twenty-four degrees west until it intersects the Grand or Ottawa River, thence descending the said river until it makes the divisional lines aforesaid. The said County is to comprehend all the Islands in the said River St. Lawrence nearest the said County, and in the whole or greater part fronting the same.

That the second of the said Counties be hereafter called by the name of the County of Stormont, which County is to be bounded on the east by the westermost line of the County of Glengarry, on the south by the River St. Lawrence to the westermost boundary of the Township of Osnaburg, and on the west by the eastermost boundary line of the late Township of Williamsburgh, running north twenty-four degrees west until it intersects the Ottawa or Grand River, thence descending the said River until it meets the north westermost boundary of the County of Glengarry. And the said County of Stormont is to comprehend all the Islands in the said River St. Lawrence nearest to the said County in the whole or greater part fronting the same.

That the third of the said Counties be hereafter called by the name of the County of Dundas, which county is to be bounded on the east by the westermost boundary line of the County of Stormont, on the South by the River St. Lawrence, on the west by the eastermost boundary line of the late Township of Edwardsburgh, running north twenty-four degrees west until it intersects the Ottawa or Grand River, thence descending the said River until it meets the north westermost boundary of the County of Stormont. The said County of Dundas is to comprehend all the Islands in the said River St. Lawrence nearest to the said County in the whole or greater part fronting the same.

That the Fourth of the said Counties be hereafter called by the name of the County of Grenville, which County is to be bounded on the east by the westermost line of the County of Dundas, on the south by the River St. Lawrence, and on the west by the eastermost boundary line of the late Township of Elizabethtown, running north twenty-four degrees west until it intersects the Ottawa or Grand River, thence descending the said River until it meets the north westermost boundary of the County of Dundas. The said County of Grenville is to comprehend all the Islands in the said River St. Lawrence nearest to the said County in the whole or greater part fronting the same.

That the Fifth of the said Counties be hereafter called by the name of the County of Leeds, which County is to be bounded on the east by the westermost line of the County of Grenville, on the south by the River St. Lawrence, on the west by the eastermost boundary line of the late Township of Pittsburgh, running north until it intersects the Ottawa or Grand River, thence descending the said River until it intersects the north westermost boundary of the County of Grenville. The said County of Leeds is to comprehend all the Islands in the said River St. Lawrence nearest the said County in the whole or greater part fronting the same.

That the Sixth of the said Counties be hereafter called by the name of the County of Frontenac, which County is to be bounded on the east by the westermost line of the County of Leeds, on the south by Lake Ontario, on the west by the eastermost boundary of the late Township of Earnesttown, running north twenty-four degrees west, until it intersects the Ottawa or Grand River, thence descending the said River until it meets the north westermost boundary of the County of Leeds.

That the Seventh of the said Counties be hereafter called by the name of the County of Ontario, which is to consist of the following islands: an Island at present known by the name of Isle Fonte, to be called Amherst Island; an Island known by the name of Isle au Ford, to be called Gage Island; an Island known by the name of Grand Isle, to be called Wolfe Island; an Island known by the name of Cachois Isle, to be called Howe Island, and to comprehend all the islands between the mouth of the Gananoque to the eastermost extremity of the late Township of Marysburgh, called Point Pleasant.

That the Eighth of the said Counties be hereafter called by the name of the County of Addington, which County is to be bounded on the east by the westermost line of the County of Frontenac, on the south by Lake Ontario to the westermost boundary of the late Township of Earnesttown, and on the west by the eastermost boundary line of the Township of Fredericksburgh, running north thirty-one degrees west until it meets the Ottawa or Grand River, thence descending the said River until it meets the nor-westermost boundary of the County of Frontenac, comprehending within the said County all the islands nearest to it in the whole or greater part fronting the same.

That the Ninth of the said Counties be hereafter called by the name of Lennox, which County is to be bounded on the east by the westermost line of the County of Addington, on the south and west by the Bay of Quinte to the eastermost boundary of the Mohawk Village, thence by a line along the westermost boundary of the late Township of Richmond, running north sixteen degrees west to the depth of twelve miles, thence running north seventy-four degrees east until it meets the north westermost boundary of the County of Addington, comprehending all the Islands in the Bays and nearest the shore thereof.

That the Tenth of the said Counties be hereafter called by the name of Prince Edward, which County is to be bounded on the south by Lake Ontario, on the west by the carrying place or the isthmus of the Presqu'ile de Quinté, and on the east

from Point Pleasant to Point Traverse by its several shores and bays, including the late Township of Ameliasburgh, Sophiasburgh and Marysburgh; the said County of Prince Edward to comprehend all the islands in the said Lake Ontario and Bay of Quinté nearest to the said County in the whole or greater part fronting the same.

That the Eleventh of the said Counties be hereafter called by the name of the County of Hastings, which County is to be bounded on the east by the westermost line of the County of Lenox, on the south by the Bay of Quinté until it meets a boundary on the eastermost line of the River Trent, thence along the said River until it intersects the rear of the ninth concession, thence by a line running north sixteen degrees west until it intersects the Ottawa or Grand River, thence descending the said River until it meets the north westermost boundary of the County of Addington; and the said County of Hastings to comprehend all the islands in the said Bay of Quinté and River Trent nearest the said County, in the whole or greater part fronting the same.

That the Twelfth of the said Counties be hereafter called by the name of the County of Northumberland; which County is to be bounded on the east by the westermost line of the County of Hastings and the Carrying Place of the Presque'Ile de Quinté, on the south by Lake Ontario until it meets the westermost point of the little Bay, thence by a line running north sixteen degrees west until it meets the southern boundary of a tract of land belonging to the Mississauga Indians, thence along the said tracts parallel to Lake Ontario until it meets the north westermost boundary of the County of Hastings. The said County of Northumberland is to comprehend all the islands in the Lake Ontario and Bay of Quinté nearest the said County in the whole or greater part fronting the same.

That the Thirteenth of the said Counties be hereafter called by the name of the County of Durham; which county is to be bounded on the east by the westermost line of the County of Northumberland, on the south by Lake Ontario until it meets the westermost point of Long Beach, thence by a line running north sixteen degrees west until . . . thence along the said tract parallel to Lake Ontario until it meets the north-westermost boundary of the County of Northumberland.

That the Fourteenth of the said Counties be hereafter called by the name of the County of York; which County is to consist of two Ridings, the East and West Riding; the East Riding is to be bounded on the east by the westermost line of the County of Durham, on the south by Lake Ontario until it meets the eastermost boundary of a tract of land belonging to the Mississauga Indians, on the west by the eastermost boundary line of said Tract running north sixteen degrees west the distance of twenty-eight miles north seventy-four degrees east fourteen miles, thence south sixteen degrees east to the southern boundary of the lands belonging to the said Indians, thence along the said tract parallel to Lake Ontario until it meets the north-westermost boundary of the County of Durham.

That the West Riding of the County be hereafter called by the name of the West Riding of the County of York, which Riding is to be bounded on the east by the westermost line of a tract of land belonging to the Mississauga Indians, running north forty-five degrees west to the River la Tranche, to be called the Thames, on the south by Lake Geneva, to be called Burlington Bay, and a Carrying Place leading through the Mohawk Village to where it intersects the River la Tranche or Thames, thence up the said river to the north-westermost boundary of a tract of land belonging to the Mississauga Indians.

That the Fifteenth of the said Counties be hereafter called by the name of the County of Lincoln, which County is to be divided into four Ridings.

The First Riding is to be bounded on the west by the eastermost line of the County of York, on the south by the Grand River, to be called the Ouse, thence descending the said River until it meets an Indian Road leading to the Forks of the Chippawa Creek, which Creek is to be called the Welland, thence descending the said Creek until it meets the continuation of the eastern boundary of the late Township, No. 5, thence north along the said boundary until it intersects Lake Ontario, thence along the south shore of Lake Ontario until it meets the south-east boundary of the County of York.

The Second Riding is to be bounded on the west by the eastermost line of the First Riding, on the north by Lake Ontario, on the east by the River Niagara, and on the south by the northern boundary of the late Townships, No. 3, No. 9, No. 10.

The Third Riding is to be bounded on the east by the River Niagara, on the south by the Chippawa or Welland, on the west by the eastermost boundary of the First Riding, and on the north by the southern boundary of the Second Riding.

The Fourth Riding is to be bounded on the east by the River Niagara, on the south by Lake Erie, to the north by the Grand River or Ouse, thence up the said River to the Road leading from the Grand River or Ouse to the Forks of the Chippawa or Welland, and on the north by the said road until it strikes the Forks by the Chippawa or Welland, thence down the said Welland to the River Niagara.

The said Fourth Riding to include the Islands comprising the eastermost boundaries of the River Niagara.

That the Sixteenth of the said Counties be hereafter called by the name of the County of Norfolk; which County is to be bounded on the north and east by the County of Lincoln and River la Tranche, now called the Thames, on the south side by Lake Erie until it meets the Barbere, to be called the Orwell River, thence by a line running north sixteen degrees west until it intersects the River la Tranche or Thames, thence up the said River until it meets the north-west boundary of the County of York.

That the Seventeenth of the said Counties be hereafter called by the name of the County of Suffolk; which County is to be bounded on the east by the County of Norfolk, on the south by Lake Erie until it meets the carrying place from Point au Pins unto the Thames, on the west by the said carrying place up the said River Thames until it meets the north-westermost boundary of the County of Norfolk.

That the Eighteenth of the said Counties be hereafter called by the name of the County of Essex; which County is to be bounded on the east by the County of Suffolk, on the south by Lake Erie, on the west by the River Detroit to Maisonville's Mill, from that by a line running parallel to the River Detroit and Lake St. Clair at the distance of four miles, until it meets the River la Tranche or Thames, thence up the said River to the north-west boundary of the County of Suffolk.

That the Nineteenth of the said Counties be hereafter called by the name of the County of Kent; which County is to comprehend all the Counties (not being Territories of the Indians) not already included in the several Counties hereinbefore described, extending northward to the boundary line of Hudson's Bay, including all the Territories to the westward and southward of the said line to the utmost extent of the Country commonly called or known by the name of Canada.

And Know Ye also that Our Lieutenant Governor hath also declared and appointed and doth hereby declare and appoint that for the purposes of Representation the said County of Glengarry, bounded as aforesaid, shall be divided

into two Ridings, the First Riding to include the late Township of Charlottenburgh, and the Second Riding to comprehend such parts of the said County of Glengarry as are not contained in the First Riding; and that each of the said Ridings shall send one Representative; that is, the said First Riding shall and may be represented in the House of Assembly by one Member; and that the said County of Stormont, bounded as hereinbefore described, shall and may be represented by one Member, and that the said County of Dundas, as hereinbefore described, shall and may be represented in the said House of Assembly by one Member; and that the said County of Grenville, bounded as hereinbefore described, shall and may be represented in the House of Assembly by one Member; and that the said County of Leeds and County of Frontenac, severally bounded as hereinbefore is described, shall together send one Representative, that is, the said County of Leeds and the County of Frontenac shall and may be represented together in the said House of Assembly by one Member; and that the County of Ontario and the County of Addington, severally bounded as hereinbefore is described, shall together send one Representative, that is, the said Counties of Ontario and Addington shall and may be represented together in the said House of Assembly by one Member; and that the County of Prince Edward, so bounded as hereinbefore is described, together with the District of the late Township of Adolphus in the County of Lenox, shall together send one Representative, that is, the said County of Prince Edward, together with the said District, late the Township of Adolphus, shall and may be represented together by one Member; and that the County of Lenox, the said District late the Township of Adolphus, with the Counties of Hastings and Northumberland, severally bounded as hereinbefore is described, shall together send one Representative, that is, the said County of Lenox, except as before excepted, and the said Counties of Hastings and Northumberland, shall and may be represented together by one Member; and that the Counties of Durham and York and the said First Riding of the County of Lincoln, severally bounded as hereinbefore is described, shall together send one Representative, that is, the said Counties of Durham and York and First Riding of the County of Lincoln shall and may be represented together in the said House of Assembly by one Member; and that the Second Riding of the County of Lincoln, bounded as hereinbefore is described, shall and may be represented in the said House of Assembly by one Member; and that the said Third Riding of the said County of Lincoln, bounded as is hereinbefore described, shall and may be represented in the said House of Assembly by one Member; and that the said Fourth Riding of the said County of Lincoln and the County of Norfolk, severally bounded as hereinbefore is described, shall together send one Representative, that is, the said Fourth Riding of the said County of Lincoln and the county of Norfolk shall and may be represented together in the said House of Assembly by one Member; and that the Counties of Suffolk and Essex, severally bounded as hereinbefore is described, shall together send one Representative, that is, the said Counties of Suffolk and Essex shall and may be represented together in the said House of Assembly by one member; and that the said County of Kent, bounded as hereinbefore is described, shall and may be represented in the said House of Assembly by two Members—of which Our loving subjects and all others concerned are to take notice, and govern themselves accordingly.

In Testimony Whereof we have caused these Our Letters to be made Patent, and the Great Seal of Our said Province to be hereunto affixed.

Witness, Our trusty and well beloved John Graves Simcoe, Esquire, Lieu-

tenant-Governor of Our said Province of Upper Canada, and Colonel commanding Our Forces in Upper Canada, &c., &c., at Our Government House in the Town of Kingston, the sixteenth day of July, in the year of Our Lord, one thousand seven hundred and ninety-two, and in the thirty-second of Our Reign.

John Graves Simcoe.

Wm. Jarvis, Sec'y.

Truly copied from the Registry Book A, folio 6 to 14, Sec'y and Register's Office, York, 31st December, 1821.

D. Cameron, S'y and Reg'r.

Robert Williams, Esquire, was then examined and cross-examined.

The following document was produced:

I.

Upper Canada Ss. Midland District, Oct. 13th, 1821.

I certify that Barnabas Bidwell has taken and subscribed the Oath of Allegiance before the subscriber, one of His Majesty's Justices of the Peace within and for the Midland District, according to law.

Rob't Williams, J.P.

Duncan Bell was next sworn and examined.

The sitting Member then gave in the names of his witnesses, which are as follows:

Joseph Cross, Robert Perry, Thomas S. Wood, and William Wilcox, who were ordered to retire.

He then went upon his defence.

The House then adjourned till ten o'clock to-morrow.

Tuesday, January 1st, 1822.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Clark, seconded by Mr. Nichol, moves for leave to bring up the Petition of Samuel Street, Esquire, of Stamford. Which was granted, and the Petition brought up.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves for leave to bring up the Petition of George Duggan and others, inhabitants of the Town of York. Which was granted, and the Petition brought up.

Agreeably to the order of the day, Mr. Nichol, seconded by Mr. Bostwick, moves that it be resolved, That an humble Address be presented to His Excellency, the Lieutenant Governor, to thank His Excellency for his message communicating the Report of the Commissioners appointed to erect a monument to the memory of the late Sir Isaac Brock, to assure His Excellency that this House with His Excellency is anxious that the work should do justice to the public sense of the highly eminent services it is intended to commemorate, and that it will regard any measure that His Excellency may deem it expedient to sanction upon the consideration of the Report of the Commissioners, as a gratifying proof of His Excellency's desire to meet the intentions of the Legislature in a matter so deeply interesting to the feelings of all classes of His Majesty's subjects in this Province. Which was carried.

Mr. Nichol, seconded by Mr. Bostwick, moves that Messrs. Attorney General

and Hagerman be a Committee to prepare an Address in conformity to the Resolution of the House. Which was ordered.

Mr. VanKoughnet, of the Committee to whom was referred the Petition of Adam Dixon, informed the House that the Committee had agreed to report by Bill, which he was ready to submit to the House whenever they should be pleased to receive the same. Ordered, that the Report be now received, and the Bill for the Relief of Adam Dixon was read the first time. Mr. VanKoughnet, seconded by Mr. Shaver, moves that the Bill granting a Toll to Adam Dixon be read a second time to-morrow. In amendment, Mr. Nichol, seconded by Mr. Bostwick, moves that the word "to-morrow" be expunged, and the words "this day three months" be inserted. Which was lost. The original question was then put and carried.

Agreeably to the order of the day, the amendments to the Bill, sent down from the Honorable the Legislative Council, intituled "An Act to extend the powers of the District Court in this Province" were read the third time.

Mr. Jones of Grenville, seconded by Mr. Gates, moves that after the word "Act" the remainder of the title be expunged, and the following words be inserted: "to reduce into one Act the several laws now in force for establishing District Courts, and regulating the practice thereof, and also to extend the powers of the said District Court." Which was carried, and the amendments read.

Mr. Jones of Grenville, seconded by Mr. Gates, moves that Messrs. VanKoughnet and Shaver be a Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to extend the powers of the District Courts in this Province," with the amendments, and request the concurrence of that honorable House thereto. Which was ordered.

Mr. Attorney General, from the Committee to draft an Address to His Excellency, the Lieutenant Governor, thanking him for his message communicating the Report of the Commissioners appointed to erect a Monument to the memory of the late Sir Isaac Brock, reported a draft, which was received and read the first time.

Mr. Attorney General, seconded by Mr. Chisholm, moves that the Address to His Excellency, the Lieutenant Governor, respecting the Monument to be erected to the Memory of the late Sir Isaac Brock, be read a second time this day, and that the Fifth Rule of this House be dispensed with as far as regards the Address. Which was carried, and the Address read the second time.

Mr. Attorney General, seconded by Mr. Chisholm, moves that the House do now resolve itself into a Committee upon the Address to His Excellency, the Lieutenant Governor, respecting the Monument to be erected to the memory of the late Sir Isaac Brock. Which was carried, and Mr. McMartin took the Chair of the Committee. The House resumed. Mr. McMartin reported the Address without amendment. Ordered, that the Report be received.

Mr. Attorney General, seconded by Mr. Nichol, moves that the Address, respecting the Monument to the memory of the late Sir Isaac Brock, be engrossed, and read a third time this day. Which was ordered.

Agreeably to the order of the day, the House went into the Trial of the Lenox and Addington Election. Robert Perry, Junior, sworn; Thomas S. Wood, sworn; William Wilcox, sworn; Joseph Cross, sworn; Samuel Casey, squire, a Member, sworn in his place.

A certain Document was put in by B. Bidwell, Esquire, a sitting Member for the Counties of Lenox and Addington, by consent of Counsel for Petitioners, and is as follows:

COMMONWEALTH OF MASSACHUSETTS,
LENOX, December 17th, 1821.

Berkshire, Ss.

I, Joseph Tucker, Esquire, Treasurer of the County of Berkshire, hereby certify, that all demands and accounts in favor of said County against Barnabas Bidwell, Esquire, former Treasurer of said County, have been fully settled, paid and discharged.

JOSEPH TUCKER.

Berkshire Ss.

I, Charles Sedgwick, Clerk of the Judicial Courts of the Commonwealth of Massachusetts for the County of Berkshire, do certify that Joseph Tucker, Esquire, is Treasurer of said County, that I am well acquainted with his handwriting, and that the above is his signature. In Testimony Whereof I have hereunto set my hand and affixed the Seal of the Sup. Jud. Court for said County of Berkshire, this 17th day of December, A.D. 1821.

CHA'S SEDGWICK, Clerk.

Doors Closed.

Door opened.

Dr. Baldwin, seconded by Mr. Crooks, moves that it be resolved that Thomas Williams, Esquire, charged with a high breach of the privileges of this House in questioning the conduct of one of its Members while in the performance of his duty, be forthwith taken into custody by the Serjeant at Arms and brought to the Bar to answer to the same. Which was carried.

Mr. Williams appeared at the Bar.

Dr. Baldwin, seconded by Mr. Crooks, moves that this House being fully satisfied with Mr. Williams' explanation, he be discharged forthwith. Which was carried.

Allan McLean, Esquire, Member, was sworn in his place.

Charles Small, sworn.

Henry Ruttan, Esquire, Member, sworn in his place.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 2nd January, 1822.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Address to His Excellency, the Lieutenant Governor, in answer to His Excellency's Message, relative to Sir Isaac Brock's monument was read the third time.

On the question for passing the same, the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Bostwick, Nichol, Attorney General, Crooks, Baldwin, Pattie, Randal, Peterson, Walsh, Clark, Wilmot, Gates, McMartin, Chisholm, McLean (Stormont), Jones (Grenville), VanKoughnet, Bidwell, Shaver, McDonell, McLean (Frontenac).

Nays: Messrs. White, Horner, Hamilton (Wentworth).

The question was carried in the affirmative by a majority of nineteen, and the Address was passed, signed by the Speaker, and is as follows.

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, etc., etc.

May it please Your Excellency: We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to thank Your Excellency for your message communicating the Report of the Commissioners appointed to erect a monument to the memory of the late Sir Isaac Brock.

With Your Excellency we are anxious that the work should do justice to the public sense of the highly eminent services it is intended to commemorate, and we beg leave to assure Your Excellency that we will regard any measure that Your Excellency may deem it expedient to sanction upon the consideration of the Report of the Commissioners as a gratifying proof of Your Excellency's desire to meet the intentions of the Legislature on a matter so deeply interesting to the feelings of all classes of His Majesty's subjects in this Province.

LEVIUS P. SHERWOOD, Speaker.

Commons House of Assembly,
2nd January, 1822.

Agreeably to the order, the Petition from James Carrol, praying to be put upon the Pension List, and the Petition of Martha Barnum, praying the same, were read.

Mr. Nichol, seconded by Mr. Burwell, moves that Messrs. Crooks and Bostwick be appointed to wait upon His Excellency, the Lieutenant Governor, to know when he will be pleased to receive the Address of this House, and to present the same. Which was ordered.

Mr. Walsh, seconded by Mr. Randall, moves that the Petition of James Carrol be referred to a Select Committee, and that Messrs. Baldwin, Wilmot and Crooks compose the said Committee, with power to send for persons and papers, and that they have leave to report by Bill or otherwise. Which was ordered.

Mr. Walsh, seconded by Mr. Clark, moves that the Petition of Martha Barnum be referred to the Committee on the Petition of James Carrol, and that they have leave to report thereon. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Bill sent down from the Honorable the Legislative Council, intituled "An Act to repeal part of and amend the laws now in force respecting the practice of His Majesty's Court of Kings Bench in this Province." Mr. Walsh in the Chair. The House resumed, Mr. Walsh reported progress, and obtained leave to sit again on Friday next.

Agreeably to the order of the day, the House proceeded in the trial of the Election for the incorporate Counties of Lenox and Addington.

Mr. VanKoughnet, from the Committee to carry up to the Honorable the Legislative Council the Bill sent down from that Honorable House intituled "An Act to extend the powers of the District Courts in this Province," to which this House had made some amendments, and to request the adoption of the same, reported they had done so.

Mr. Willson, of Wentworth, from the Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to confirm and make valid certain marriages heretofore contracted, and further to provide for the future solemnization of marriage within this Province," and to request their concurrence thereto, reported they had done so.

Mr. Nichol, seconded by Mr. Horner, moves that it be resolved that the allegations contained in the Petition of Timothy Storing and other Freeholders of the incorporated Counties of Lenox and Addington, respecting certain news-

paper reports and certain occurrences in the United States of America, implicating the moral character of Barnabas Bidwell, Esq., one of the sitting Members for the said incorporated Counties, being altogether founded on ex parte statements, and alluding to transactions beyond the jurisdiction of this House, and respecting which no compulsory process for the attendance of exculpatory testimony could issue therefrom, and that as the said reports and occurrences are not, even if true, legal disqualifications for a seat in this House, the same cannot be taken into consideration or decided upon under the Act of this Province for the Trial of Controverted Elections.

In amendment, Mr. Attorney General, seconded by Mr. Jones, of Grenville, moves that after the words "counties" in the original motion, the remainder of the Resolution to the words "are not even if true" be expunged, and that after the word "House" the words "and that" be inserted.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hagerman, Robinson, Attorney General, Bostwick, Burwell, Willson (Prince Edward), Pattie, Randall, Peterson, Clark, Willson (Wentworth), White, VanKoughnet, Baby, Willmot, Horner, Kerr, Hamilton (Wentworth), Ruttan, McMartin, McLean (Stormont), Walsh, Gordon, Chisholm, Jones (Grenville), McLean (Frontenac), Nichol, Casey, McDonell, Shaver.

Nays: Messrs. Crooks, Baldwin, Gates.

The question was carried in the affirmative by a majority of twenty-seven.

On the original question as amended being put the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Baldwin, Willson (Prince Edward), Pattie, Randall, Peterson, Willson (Wentworth), Clark, White, Horner, Wilmot, Hamilton (Wentworth), Kerr, Baby, Chisholm, Gordon, Nichol, Casey, McDonell.

Nays: Messrs. Hagerman, Robinson, Bostwick, Attorney General, Burwell, Crooks, VanKoughnet, Ruttan, Jones (Grenville), Gates, McMartin, McLean (Stormont), Walsh, McLean (Frontenac), Shaver.

The question was decided in the affirmative by a majority of three, and it was resolved accordingly.

The House then adjourned till ten o'clock to-morrow.

Thursday, 3rd January, 1822.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to order, the Petition from Samuel Street, praying for remuneration for building a bridge across the Chippewa River, and the Petition from G. Duggan, and others of the Town of York, praying that the Act establishing a Police in the said Town may be repealed or amended, were read.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Petition of the Inhabitants of the Town of York be referred to a Special Committee, with power to send for persons and papers, and to report by Bill or otherwise, and that Messrs. Jones, of Grenville, McLean, of Frontenac, and Crooks do compose the said Committee. Which was ordered.

Mr. Clark, seconded by Mr. White, moves that the Petition of Samuel Street, Esq., be referred to a Select Committee, and that Messrs. Nichol, Kerr and Crooks compose the said Committee with leave to send for persons and papers, and to report thereon by Bill or otherwise. Which was ordered.

Agreeably to the order of the day, the debates of the amendments made by

the Hon. the Legislative Council in and to the Highway Bill were resumed. The first amendment was read.

In the title, line 8, after "Province" insert "and also an Act passed in the forty-sixth year of His late Majesty's Reign, intituled "An Act to repeal and amend part of an Act passed in the fiftieth year of His Majesty's Reign, intituled an Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose."

The question of concurrence was then put. Which was lost.

Mr. Crooks, seconded by Mr. Gordon, moves that a Conference be requested with the Honorable the Legislative Council on the subject matter of the amendments made by that Honorable House to the Highway Bill sent up from this House. Which was ordered.

Mr. Crooks, seconded by Mr. Gordon, moves that Messrs. Jones, of Grenville, and Chisholm be a Committee to request the said Conference with the Honorable the Legislative Council on the subject matter of the amendments made by that Honorable House to the Highway Bill sent up from this House. Which was ordered.

Agreeably to notice, Mr. Casey, seconded by Mr. Shaver, moves for leave to bring in a Bill to grant a salary to the Attorney General in lieu of fees and other emoluments now paid out of the Public Moneys of this Province. Which was granted, and the Bill read.

Mr. Casey, seconded by Mr. Shaver, moves that the Attorney General's Salary Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the House proceeded in the trial of Lennox and Addington Petition.

Mr. McMartin, seconded by Mr. Jones, of Grenville, moves that it be resolved that the allegations set forth in the Petition of Timothy Storing and others Freeholders of the Incorporated Counties of Lennox and Addington, against the Election of Barnabas Bidwell, Esq., sitting Member for the said Counties, having been proved at the Bar of the House, the said Election is hereby declared to be void.

In amendment, Dr. Baldwin, seconded by Mr. Willson, of Prince Edward, moves that after the word "that" the whole of the original motion be expunged, and there be inserted the following words, "it be resolved that the allegations in the Petition of Timothy Storing and others have not been proved in such manner as in the judgment of the House to render the Election of Barnabas Bidwell void." On which debates ensued.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act for the Relief of John White," which they had passed without amendment, also the Bill intituled "An Act to appoint Trustees to the Will of William Weekes, late of York, Esq., deceased, to carry into effect the provisions thereof," which they had passed with some amendments, which they recommend to the adoption of this House; and also a message, and having withdrawn the message was read by the Speaker as follows:

Mr. Speaker: The Honorable the Legislative Council have concurred in the amendments made by the Commons House of Assembly in and to the Bill intituled "An Act to extend the powers of the District Courts in this Province."

WM. DUMMER POWELL, Speaker.

Legislative Council Chamber,
3rd January, 1822.

The amendments made by the Honorable the Legislative Council in and to the Bill intituled "An Act to appoint Trustees to the Will of William Weekes, late of York, Esquire, deceased, to carry into effect the provisions thereof," were then read as follows:

Pres. 3, line 1. After "Academy" expunge the remainder of the Bill.

Dr. Baldwin, seconded by Mr. Willson, of Prince Edward, moves that the amendments made by the Honorable the Legislative Council in and to the Bill intituled "An Act to appoint Trustees to the Will of William Weekes, late of York, Esquire, deceased, to carry into effect the provisions thereof" be read a second time to-morrow. Which was ordered.

The House then adjourned till five o'clock p.m. At five o'clock p.m. the House met pursuant to adjournment.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor on the subject of the Grand River Bridge was read the second time.

Mr. Willson, of Wentworth, seconded by Mr. White, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Address to His Excellency the Lieutenant Governor, on the subject of the Grand River Bridge. Which was carried, and Mr. Van Koughnet took the Chair. The House resumed. Mr. VanKoughnet reported that the Committee had risen.

Agreeably to the order of the day, the Bill for the relief of John Crysler, Esq., Collector at the Port of Cornwall, was read the second time.

Mr. McLean, of Stormont, seconded by Mr. Burwell, moves that the House do now resolve itself into a Committee of the Whole on the Bill for the relief of John Crysler, Esq. Which was carried, and Mr. Ruttan took the Chair of the Committee. The House resumed. Mr. Ruttan reported the Bill without amendment. Ordered that the Report be received.

Mr. McLean, of Stormont, seconded by Mr. Burwell, moves that the Bill for the relief of John Crysler, Esquire, be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council in and to the Bill intituled "An Act for assigning limits to the respective Gaols within this Province," were read the second time. The first amendment was then read the second time again, and is as follows: Pres. 2, line 5. After "limits" insert "provided nevertheless that during such time as any debtor in execution shall have the liberty of such limits as aforesaid, such debtor shall not be entitled to receive from the Plaintiff in the action any weekly maintenance by reason of any statute for the benefit of Insolvent Debtors." The question for concurrence in the same was then put and carried.

The second amendment was then read, and is as follows: Pres. 2, line 18. After "officer" insert "on such debtor or debtors so withdrawing or departing." The question for concurrence thereto was then put and carried.

The third amendment was then read, and is as follows: Pres. 2, line 18. After "the" expunge "Bail Bonds" and insert "security." The question of concurrence thereto was put and carried.

Mr. Jones, of Grenville, seconded by Mr. Burwell, moves that Messrs. Robinson and Bostwick be a Committee to acquaint the Honorable the Legislative Council that this House has concurred in the amendments made by that Honorable House to the Bill intituled "An Act for assigning limits to the respective Gaols within this Province." Which was ordered.

Agreeably to the order of the day, the York Bank Amendment Bill was read the second time.

Mr. Attorney General, seconded by Mr. Gates, moves that the House do now resolve itself into a Committee upon the Bank Bill. Which was ordered, and Mr. McMartin took the Chair of the Committee. The House resumed. Mr. McMartin reported the Bill amended. Ordered that the Report be received.

Mr. Attorney General, seconded by Mr. Gates, moves that the Bank amendment Bill be engrossed, and read a third time to-morrow. Which was carried.

Agreeably to notice, Mr. Attorney General, seconded by Mr. McMartin, moves for leave to bring in a Bill for continuing the salaries of Sheriffs in this Province. Which was granted and the Bill read.

Mr. Attorney General, seconded by Mr. McMartin, moves that the Sheriffs Salary Bill be read a second time to-morrow. Which was carried.

Agreeably to the order of the day, the Parish and Town Officers Bill was read the second time. Mr. Jones, of Grenville, seconded by Mr. Burwell, moves that the House do now resolve itself into a Committee of the Whole, on the Parish and Town Officers Appointment Bill. Which was carried, and Mr. Burwell took the Chair of the Committee. The House resumed. Mr. Burwell reported progress, and asked leave to sit again this day three months. Ordered that the Report be received, and leave was granted accordingly.

The House then adjourned till ten o'clock to-morrow.

Friday, 4th January, 1822.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the Bill for the relief of John Crysler, Esq., Collector of the Port of Cornwall, was read the third time.

Mr. McLean, of Stormont, seconded by Mr. McMartin, moves that the Bill do now pass, and that it be intituled "An Act for the relief of John Crysler, Esquire." Which was carried, and the Bill signed.

Mr. McLean, of Stormont, seconded by Mr. Casey, moves that Messrs. Van-Koughnet and McMartin be a Committee to carry up to the Honorable the Legislative Council the Act for the relief of John Crysler, Esq., and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the York Bank Amendment Bill was read the third time.

Mr. Robinson, seconded by Mr. Burwell, moves that the Bill do now pass, and that it be intituled "An Act to amend an Act passed in the fifty-ninth year of His late Majesty's Reign, and promulgated by proclamation bearing date the twenty-first day of April, in the year of Our Lord One Thousand, Eight Hundred and twenty-one, and intituled An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Bank of Upper Canada."

In amendment, Mr. Hagerman, seconded by Mr. Willson, of Prince Edward Island, moves that all the words after the word "that" be expunged, and the following inserted, "the Provincial Bank Amendment Bill be recommitted on Monday next." Which was lost. The original question was then put and carried, and the Bill signed.

Mr. Burwell, seconded by Mr. Crooks, moves that Messrs. Robinson and McMartin be a Committee to carry up to the Honorable the Legislative Council the York Bank Amendment Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the House went into Committee of the Whole on the Revenue Bill. Mr. Robinson in the Chair. The House resumed. Mr. Robinson reported the Bill as amended. Ordered that the Report be received.

Mr. Hagerman, seconded by Mr. Gordon, moves that the Revenue Amendment Bill be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House proceeded on the Trial of the Lenox and Addington Petition. The debates on Dr. Baldwin's amendment to Mr. McMartin's amendment of yesterday were resumed.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a message, and having withdrawn the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have agreed to a conference with the Commons House of Assembly on the subject matter of the amendments made by this House in and to the Public Highway Bill, and have appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room, at ten o'clock to-morrow morning.

WM. DUMMER POWELL, Speaker.

Legislative Council Chamber,
4th January, 1822.

Mr. Burwell, seconded by Mr. Gordon, moves that Messrs. Crooks, Nichol, Robinson and McDonell, be a Committee to confer with a Committee of the Honorable the Legislative Council on the subject matter of the amendments made by that Honorable House to the Act to Repeal the Highway Bill. Which was ordered.

Dr. Baldwin's amendment was then put as follows: Dr. Baldwin, seconded by Mr. Willson of Prince Edward, moves that after the word "that" the whole of the original motion be expunged, and that there be inserted the following words, "it be resolved that the allegations" in the Petition of Timothy Storing and others have not been proved in such manner as in the judgment of this House to render the election of Barnabas Bidwell void.

On the question the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson (P. Ed.), Baldwin, Pattie, Baby, Randal, Peterson, Willson (Went.), Chisholm, Kerr, White, Horner, Walsh, Hamilton (Went.), Clark, Casey, Nichol, McDonell.

Nays: Messrs. Jones (Gren.), VanKoughnet, Hagerman, McLean (Storm't), Gordon, Bostwick, Burwell, Willmot, Robinson, McMartin, Atty. General, Ruttan, Crooks, McLean (Front.), Gates, Shaver.

The question was carried in the negative by a majority of one.

Mr. Gordon in amendment, seconded by Mr. Attorney General, moves that after the words "resolved that" in the original motion all the remainder be expunged and the following inserted "sufficient of the allegations contained in the Petition of Timothy Storing and others, Freeholders of the Incorporated Counties of Lenox and Addington, complaining of the return of Barnabas Bidwell, Esquire, Sitting Member for those Counties, having been proved at the Bar of this House to void the Election of the said Barnabas Bidwell, Esq., the same is hereby declared void."

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Gren.), VanKoughnet, Hagerman, McLean (Storm't),

Gordon, Burwell, Bostwick, McDonell, McMartin, Atty. General, Gates, Shaver, Ruttan, Crooks, Wilmot, McLean (Front.), Robinson.

Nays: Messrs. Willson (P. E. I.), Baldwin, Pattie, Baby, Randal, Peterson, Chisholm, Kerr, Willson (Went.), White, Horner, Walsh, Hamilton (Went.), Clark, Casey, Nichol.

The question was carried in the affirmative by a majority of one.

The original question as amended was then put and carried.

Mr. Attorney General, seconded by Mr. Ruttan, moves that it be resolved that a new Writ be directed to issue for the election of a Member to represent the Incorporated Counties of Lenox and Addington, in the place of Barnabas Bidwell, Esq., whose election has been declared void. Which was ordered.

Mr. Nichol gives notice that he will, on Monday next, move for leave to bring in a Bill to amend the Act for regulating the intercourse between this Province and the United States of America by land and inland navigation.

The House then adjourned till ten o'clock to-morrow.

Saturday, 5th January, 1822.

The House met. Prayers were read. The Minutes of Yesterday were read.

Dr. Baldwin, seconded by Mr. Willson of Prince Edward, moves that Mr. Crooks, Member from Halton, have leave of absence for the remainder of the Session. Which was granted.

Mr. McLean of Stormont, seconded by Mr. Shaver, moves that Mr. Van-Koughnet shall have leave of absence during the remainder of the Session, and that the fifth Rule of the House be dispensed with as far as relates to the present motion. Which was granted.

Agreeably to the order of the day, the Revenue Bill was read the third time. Mr. Hagerman, seconded by Mr. Robinson, moves that the Revenue Law amendment Bill do now pass, and that it be intituled "An Act to repeal certain parts of an Act passed in the forty-first year of His Majesty's Reign, intituled an Act for granting to His Majesty, His Heirs and Successors, to and for the use of this Province, the like duties on goods and merchandise brought into this Province from the United States of America, as are now paid on goods and merchandise imported from Great Britain and other places, and to provide more effectually for the collection and payment of duties on goods and merchandise coming from the United States of America into this Province, and also to establish a fund for the erection and repairing of Lighthouses, and to extend the provisions of the several laws now in force regulating the collection of duties on imports into this Province." Which was carried and the Bill signed.

Mr. Hagerman, seconded by Mr. Gates, moves that Messrs. Robinson and Gordon be a Committee to carry up to the Honorable the Legislative Council the Revenue Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Kingston Bank Bill was read the second time.

Mr. Hagerman, seconded by Mr. Gates, moves that the House do now resolve itself into a Committee, to take into consideration the Kingston Bank Bill. Which was carried, and Mr. Clark took the chair of the Committee.

The House resumed. Mr. Clark reported progress and obtained leave to sit again on Monday next.

Agreeably to the order of the day, the House went into Committee on the Bill sent down from the Honorable the Legislative Council, intituled "An Act to repeal

part of and amend the laws now in force respecting the practice of His Majesty's Court of Kings Bench in this Province." Mr. Walsh in the Chair. The House resumed. Mr. Walsh reported progress, and obtained leave to sit again on Monday next.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council in and to the Bill intituled "An Act to appoint Trustees to the Will of William Weekes, late of York, Esq., deceased, to carry into effect the provisions thereof" was read the second time. The said amendment was read again, and is as follows: Press. 3, line 1. After "Academy" expunge the remainder of the Bill. The question for concurrence thereto was put and carried. Dr. Baldwin, seconded by Mr. Bostwick, moves that a Committee be appointed to acquaint the Honorable the Legislative Council that this House has concurred to the amendments made in and to the Bill to appoint Trustees to the Will of the late William Weekes, Esq., and that Messrs. Robinson and Gordon be a Committee for the same. Which was carried.

Agreeably to the order of the day, the Attorney General's Salary Bill was read the second time. Mr. Casey, seconded by Mr. Shaver, moves that the House do now resolve itself into a Committee of the Whole on the Attorney General's Salary Bill.

In amendment, Mr. Hagerman, seconded by Mr. Burwell, moves that the words "now" be expunged, and "this day three months" inserted. On which the House divided, and the yeas and nays were taken as follows:

Yeas: Messrs. Nichol, McLean (Storm't), Bostwick, Baldwin, Burwell, Hamilton (Lincoln), Ruttan, Hagerman, Gates, VanKoughnet, Jones (Gren.), McLean (Storm't).

Nays: Messrs. Pattie, White, Horner, Randal, Casey, Wilmot, Walsh, Peterson.

The question was carried in the affirmative by a majority of four. The original question as amended was then put and carried.

Agreeably to the order of the day, the Sheriffs Bill was read the second time. Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the House do now resolve itself into a Committee upon the Sheriffs Salary Bill. Which was carried, and Mr. Bostwick took the Chair. The House resumed. Mr. Bostwick reported the Bill as amended.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Bostwick, McLean (Front.), Randal, Atty. General, Robinson, Nichol, Jones (Gren.), Gordon, Gates, Burwell, Wilmot, Walsh, McLean (Storm't), Hamilton (Lincoln).

Nays: Messrs. White, Peterson, Casey, Ruttan.

The question was carried in the affirmative by a majority of eleven, and the Report was received accordingly.

Mr. Robinson, of the Committee to carry up to the Honorable the Legislative Council the Revenue Bill and request their concurrence thereto, and to deliver a message informing the Honorable the Legislative Council that this House had concurred in the amendments made by that Honorable House in and to the Bill for appointing Trustees to the Will of the late William Weekes, Esq., reported they had done so.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Sheriffs Salary Bill be engrossed, and read a third time on Monday next. Which was ordered.

Mr. Nichol gives notice that he will, on Tuesday next, move for leave to bring in a Bill for disqualifying certain descriptions of persons from sitting and voting in this House.

Mr. Jones of Grenville, seconded by Mr. Wilmot, moves that he have leave to bring in a Bill to make further regulation respecting Insolvent Debtors, and that the fifth Rule of this House be dispensed with so far as relates to the same. Which was carried, and the Bill read.

Mr. Jones of Grenville, seconded by Mr. Attorney General, moves that the Bill to make further regulations respecting Insolvent Debtors be now read a second time. Which was carried, and the Bill was read the second time.

Mr. Jones of Grenville, seconded by Mr. Attorney General, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Insolvent Debtors Bill. Which was carried, and Mr. Casey took the chair of the Committee. The House resumed. Mr. Casey reported the Bill as amended. Ordered that the Report be received.

Mr. Jones of Grenville, seconded by Mr. Attorney General, moves that the Insolvent Debtors Bill be engrossed, and read a third time on Monday next. Which was ordered.

Mr. Wilmot gives notice that he will on Monday next move for leave to bring in a Bill to prohibit the sale of Spirituous Liquors to Indians within the organized Townships of this Province.

The House then adjourned till Monday at ten o'clock.

Monday, 7th January, 1822.

The House met. Prayers were read. The Minutes of Saturday were read.

Mr. McLean of Frontenac, seconded by Mr. Hagerman, moves for leave to bring up the Petition of the Magistrates in Sessions for the Midland District, and that the sixth Rule of the House be dispensed with and that the Petition be read this day. Which was carried.

Agreeably to the order of the day, the Sheriffs Bill was read the third time. Mr. Nichol, seconded by Mr. Willson of Prince Edward, moves that the Sheriffs Bill be re-committed. Which was ordered, and Mr. Bostwick took the Chair of the Committee. The House resumed. Mr. Bostwick reported the Bill as amended. Ordered that the Report be received.

Mr. Nichol, seconded by Mr. Willson of Prince Edward, moves that the Sheriffs Bill be engrossed, and read a third time this day. And that the Fifth Rule be dispensed with in so far as relates to the same. Which was ordered.

Agreeably to the order of the day, the Insolvent Debtors Bill was read the third time. Mr. Jones of Grenville, seconded by Mr. Gates, moves that the Bill do now pass, and that it be intituled "An Act to make further regulation respecting the weekly maintenance of Insolvent Debtors." Which was carried, and the Bill signed.

Mr. Jones of Grenville, seconded by Mr. Gates, moves that Messrs. Walsh and Willson of Prince Edward be a Committee to carry up to the Honorable the Legislative Council the Insolvent Debtors Bill, and request their concurrence thereto. Which was ordered.

Agreeably to order, the Sheriffs Bill was read the third time. Mr. Nichol, seconded by Mr. Willson of Prince Edward, moves that the word "their" in the nineteenth line of the first Press. be expunged, and that the words "such Sheriffs" be inserted. Which was carried.

Mr. Attorney General, seconded by Mr. Shaver, moves that the Bill do now pass, and that it be intituled "An Act to continue an Act passed in the forty-sixth year of His Late Majesty's Reign, intituled an Act to make provision for certain Sheriffs in this Province, and a certain other Act of the Parliament of this Province passed in the fifty-seventh year of His Late Majesty's Reign, intituled an Act further to continue an Act passed in the forty-sixth year of His Majesty's Reign, intituled an Act to make provision for certain Sheriffs in this Province, and also to extend the provisions of the said Act, and to protect the interest of Suitors in certain cases." Which was carried, and the Bill signed.

The Petition from the Magistrates of the Midland District, praying that a law may be passed authorizing them to levy an additional assessment of one penny in the pound for two years, to enable them to erect a new Gaol and Court House in the Town of Kingston, was read.

Mr. Clark, of the Committee to whom was referred the petition of Samuel Street, Esq., informed the House that the Committee had agreed to a Report, which he was ready to submit whenever the House would receive the same. Ordered that the Report be now received, and it was read as follows: Report of the Select Committee appointed to inquire into the merits of the claim af Samuel Street Esquire, of the Niagara District, for compensation for moneys disbursed by him for the public service in the year 1816.

Your Committee most respectfully report: That having carefully examined the allegations contained in the said petition, and perfectly satisfied that they are in every respect correct,

It further appears to Your Committee that in the second session of the Seventh Provincial Parliament the claim of the Petitioner was partially recognized by the House of Assembly, a Bill having actually passed that House granting to the Petitioner the sum of One Hundred Pounds on this very account; this Bill, however, for reasons unknown to Your Committee did not become a law.

By a reference to certain documents in possession of Your Honorable House it appears that the sum thus advanced and for which compensation is claimed amounts to two hundred and sixty pounds and eight shillings, Provincial Currency, which sum your Committee have every reason to believe is correct.

Your Committee, from inquiries made by them, and from their own personal knowledge, are perfectly satisfied of the great public utility of this bridge, and of the inability of the Niagara District, either from Statute Labour or by the application of its Public funds (which have been absorbed by the heavy debt contracted for the rebuilding of their Gaol and Court House, destroyed by the enemy during the late War), to reconstruct it.

The great road from Niagara to Fort Erie, one of the principal thoroughfares in this Province, intersected by the Chippawa or Welland River, would have been interrupted without it, and the inhabitants would have experienced much inconvenience and delay as well as have been exposed to heavy expense, had the bridge not been built.

Your Committee being satisfied with the fairness of Mr. Street's Claim, have directed their Chairman to move in a Committee of Supply that it be resolved

First, that the sum of Two Hundred and Sixty Pounds and Eight Shillings, Provincial Currency, be granted to remunerate Samuel Street of Stamford, Esq., for the like sum advanced and expended by him in the year 1816 (as one of the Commissioners for repairing and amending Public Highways in the Niagara District) in the construction of a Bridge across the Welland River.

Second, that he be ordered to move for leave to bring in a Bill for appropriating the said sum of Two Hundred and Sixty Pounds Eight Shillings.

Third, that the acquiescence of the House in the present instance in the prayer of the Petition be not drawn into a precedent or construed as a pledge that the House will on any future occasion deem itself authorized to grant similar relief.

All which is respectfully submitted.

7th January, 1822. (Signed) JOHN CLARK, Chairman.

Mr. Nichol, seconded by Mr. Clark, moves that the House do concur in the Report of the Select Committee on the Petition of Samuel Street, Esq.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Bostwick, Nichol, Pattie, Atty. General, McDonell, Clark, Burwell, Gates, Hagerman, McLean (Front.), Robinson.

Nays: Messrs. Willson (P. E.), Randal, White, Hamilton (Went.), Walsh, Kerr, Ruttan, Peterson, Wilmot, Casey, Shaver.

The question was decided in the negative by the casting vote of the Speaker.

Mr. Atty. General, seconded by Mr. Burwell, moves that Messrs. Walsh and Willson of Prince Edward be a Committee to carry up to the Honorable the Legislative Council the Sheriffs Salary Bill, and request their concurrence thereto. Which was ordered.

Mr. Nichol, seconded by Mr. Gordon, moves for leave to bring up the Petition of William Forsyth, of Stamford in the Niagara District, and that the Fifth and Sixth Rules of the House, also that of 17th Feb., 1821, be dispensed with in so far as relates to the same, and that it be now read. Which was granted.

The Petition from William Forsyth praying that a law may be passed prohibiting the subjects of the United States from running Stages along the Niagara Frontier of this Province was read.

Agreeably to the order of the day, the House went into Committee on the Bill intituled "An Act to repeal part of and amend the laws now in force respecting the practice of His Majesty's Court of King's Bench in this Province," Mr. Walsh in the Chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to amend an Act passed in the fifty-ninth year of His Late Majesty's Reign, and promulgated by proclamation bearing date the twenty-first of April in the year of Our Lord One Thousand Eight Hundred and Twenty-one, intituled An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Bank of Upper Canada," which they had passed without amendment, and the Bill intituled "An Act to amend an Act passed in the thirty-fifth year of His Late Majesty's Reign, intituled An Act for the Public Registering of Deeds, Conveyances, Wills and other Incumbrances which shall be made or may affect any lands, tenements or hereditaments within this Province," which they had passed with some amendments, which they recommended to the adoption of this House.

The amendments made by the Honorable the Legislative Council in and to the Bill intituled "An Act to amend an Act passed in the thirty-fifth year of His Late Majesty's Reign, intituled an Act for the Public registering of Deeds, Conveyances, Wills and other Encumbrances which shall be made, or may affect any lands, Tenements or Hereditaments within this Province," were then read as follows:

Press. 1, line 16. After "any" expunge "County or Counties, Riding or Ridings, of which more than one is supplied by one Register only" and insert "District."

Press. 2, line 3. Expunge "or Riding."

Press. 2, line 10. After "Registering" insert "provided nevertheless that nothing in this Act shall extend or be construed to extend to render it necessary for the Governor, Lieutenant Governor or person administering the Government to appoint any Register for any County included in any Commission already issued where the principal shall appoint a deputy in each County included in his commission, and deliver to such deputy a schedule of all memorials in his office relative to lands within the said County, according to the form, and under the same provision as if a new Register had been appointed for the said County.

Press. 2, line 12. Expunge "or Riding."

Press. 2, line 14. After "Register" expunge the remainder of the Bill.

The House went again into Committee on the Bill sent down from the Honorable the Legislative Council, intituled "An Act to repeal part of and amend the laws now in force respecting the Practice of His Majesty's Court of King's Bench in this Province." Mr. Walsh in the Chair.

The House resumed to receive a message from the Lieutenant Governor.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor a message and Memorial, and he having withdrawn the Speaker read the same as follows:

P. MAITLAND.

The Lieutenant Governor thinks it proper to transmit to the House of Assembly the accompanying Memorial of the Surveyor General, and to recommend the same to the consideration of this House.

Government House, York, 7th January, 1822.

To His Excellency, Sir Peregrine Maitland, K. C. B., Lieutenant Governor of the Province of Upper Canada and Major General Commanding His Majesty's Forces therein, etc.

The Memorial of Thomas Ridout, Surveyor General.

Humbly Showeth: That when Your Memorialist had completed the Schedules of the granted and leased lands from the 1st July, 1820, to the 1st July, 1821, pursuant to an Act passed in the fifty-ninth year of His Late Majesty, relative to the levying and collecting the Rates and Assessments in this Province, and which Your Memorialist had the honor to transmit to the Government Officer in September last, it appeared to Your Memorialist on referring to the said Act that he was not entitled to receive for any schedule made subsequent to the said 1st day of July, 1820, more than the sum of two shillings and sixpence, in the conjecture, as Your Memorialist presumed to think, that after that period all the schedule would be supplementary.

Your Memorialist therefore respectfully begs leave to state that of the schedules made by him of Grants, Leases and Locations between the 1st July, 1820, and the 1st day of July, 1821, forty-one were original ones (being the first returns of as many Townships) and one hundred and twenty-two supplementary schedules, as enumerated in the lists that accompanied them.

And as Your Memorialist humbly presumes it was the interest of the Legislature in framing the aforesaid Act that the Surveyor should be remunerated in the sum of twenty shillings for each and every original schedule of a Township furnished by him, and in the sum of two shillings and sixpence for each schedule truly

supplementary, he respectfully submits the foregoing to Your Excellency's consideration, and humbly requests that Your Excellency would be pleased to grant him such relief in the premises as to Your Excellency may seem meet. And, as in duty bound, Your Memorialist shall ever pray.

York, 29th December, 1821. (Signed) THOS. RIDOUT.

Mr. Atty. General, seconded by Mr. McLean of Stormont, moves that the message of His Excellency the Lieutenant Governor, with the Memorial of the Surveyor General, be referred to the Committee of Supply. Which was ordered.

The House went again into Committee on the Bill sent down from the Honorable the Legislative Council intituled "An Act to repeal part of and amend the laws now in force respecting the Practice of His Majesty's Court of King's Bench in this Province." Mr. Walsh in the Chair. The House resumed. Mr. Walsh reported the Bill as amended. Ordered that the Report be received.

Mr. Attorney General, seconded by Mr. McLean of Stormont, moves that the amendments to the Bill intituled "An Act to repeal part of and amend the laws now in force respecting the practice of His Majesty's Court of King's Bench in this Province," be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Dixon Relief Bill was read the second time.

Mr. McLean of Stormont, seconded by Mr. Ruttan, moves that this House do now resolve itself into a Committee of the Whole, to take into consideration the Bill for the relief of Adam Dixon.

In amendment, Mr. Nichol, seconded by Mr. Kerr, moves that in the original motion the word 'now" be struck out, and "this day three months" inserted. Which was carried. The original question as amended was then put and carried.

Agreeably to notice, Mr. Nichol, seconded by Mr. Casey, moves for leave to bring in a Bill to extend the provisions of an Act passed in the second year of His Majesty's Reign intituled "an Act to repeal an Act passed in the first year of His Majesty's Reign, intituled an Act to regulate the Commercial intercourse between this Province and the United States of America, by land and inland navigation, and further to regulate the trade between this Province and the United States of America, by land or inland navigation." Which was granted and the Bill read.

Mr. Nichol, seconded by Mr. Bostwick, moves that the Intercourse Amendment Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Kingston Bank Bill, Mr. Clark in the Chair. The House resumed. Mr. Clark reported the Bill as amended. Ordered that the Report be received.

Mr. Hagerman, seconded by Mr. Nichol, moves that the Kingston Bank Bill be engrossed and read a third time on to-morrow. Which was ordered.

Agreeably to notice, Mr. Wilmot, seconded by Mr. Peterson, moves for leave to bring in a Bill to prohibit the sale of Spirituous Liquors to Indians throughout the organized townships of this Province. Which was carried, and the Bill read.

Mr. Wilmot, seconded by Mr. Hamilton of Lincoln, moves that the Bill to prohibit the sale of Spirituous Liquors to Indians be read a second time on to-morrow. Which was ordered.

Mr. Jones, of Grenville, seconded by Mr. Nichol, moves that the fifth Rule of this House be dispensed with, to enable him to bring forward certain resolutions relating to the Report of the Joint Committee. Which was carried.

Mr. Jones, of Grenville, seconded by Mr. Nichol, moves that it be resolved that in relation to that part of the Joint Report respecting the Financial Concerns

of this Province with Lower Canada which recommend that considering the magnitude and variety of the objects to which the attention of His Majesty and the British Parliament is to be called by the proposed Address, their lasting importance to the Inhabitants of this Province, and the urgent necessity of a speedy arrangement, it is highly expedient that a person of talent and respectability sufficient to solicit and represent the interests of this Province should be commissioned to present the Address at the foot of the Throne, and to that end a Bill should be passed authorizing the Governor to appoint a Commissioner for that purpose, and appropriating an adequate sum for the remuneration of so important a service, this House is of opinion that John Beverley Robinson, Esquire, His Majesty's Attorney General of this Province, and a Member of this House, from his extensive information and general knowledge of the affairs and interest of this Province, and particularly of those matters to which His Majesty's consideration is prayed by the Joint Address, is well qualified to undertake the duties suggested by the said Report, and that therefore his appointment would be highly gratifying to this House.

Resolved, that it is the opinion of this House that an Address be presented to His Excellency the Lieutenant-Governor, praying him to accede to the wish of this House expressed in the foregoing resolutions, and assuring His Excellency that this House in doing so disclaims all desire of interfering with the appointment referred to, which by the Resolution of both Houses is to rest solely with the Executive Government, and are only desirous of expressing to His Excellency their conviction that the appointment of the Attorney General, if his services in his official situation can be dispensed with, would be satisfactory to them, and beneficial to the interests of the Province.

Resolved, that a Message be sent to the Honorable the Legislative Council, communicating a copy of the foregoing resolutions, and requesting their concurrence thereto.

The first Resolution was then put and carried, *nem. con.*

The second Resolution was then put and carried, *nem. con.*

The third Resolution was then put and carried, *nem. con.*

Mr. Jones, of Grenville, seconded by Mr. McDonell, moves that Messrs. Nichol and Hagerman be a Committee to carry up to the Honourable the Legislative Council the foregoing Resolutions. Which was ordered.

Mr. McLean, of Frontenac, gives notice that he will, on to-morrow, move for leave to bring in a Bill intituled "An Act to authorize the Magistrates in Quarter Sessions for the Midland District to increase the rates and assessments for the said District for the term of two years, for the purpose of erecting a new Gaol and Court House in the said District."

The House then adjourned till one o'clock to-morrow.

Tuesday, 8th January, 1822.

The House met: Prayers were read: The Minutes of yesterday were read.

Agreeably to the order of the day, the Kingston Bank Bill was read the third time.

Mr. Hagerman, seconded by Mr. Nichol, moves that the Kingston Bank Bill do now pass, and that it be intituled "An Act to incorporate certain persons under the style and title of the President, Directors and Company of the Bank of Kingston." Which was carried, and the Bill signed.

Mr. Hagerman, seconded by Mr. Baby, moves that Messrs. Nichol and Willson, of Prince Edward, be a Committee to carry up to the Honorable the Legislative Council the Kingston Bank Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Baby, moves that he have leave to bring in a Bill to disqualify certain descriptions of persons from being elected to serve in the House of Assembly of this Province. Which was granted, and the Bill read.

Mr. Nichol, seconded by Mr. Baby, moves that the Disqualification Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Intercourse Amendment Bill was read the second time.

Mr. Nichol, seconded by Mr. Hagerman, moves that the House do now resolve itself into a Committee of the Whole, on the Intercourse Bill. Which was carried, and Mr. Wilson, of Prince Edward, took the Chair. The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honourable the Legislative Council two Addresses and a Message, and he having withdrawn, the Speaker read the same, which are as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honourable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.,

May it please Your Excellency: The Legislative Council and House of Assembly in Provincial Parliament assembled, have concurred in a Report with certain documents annexed thereto, and agreed in a Joint Address to His Majesty, praying that Our Most Gracious Sovereign, in consideration of the difficulties which have occurred in adjusting our Financial relation with Lower Canada, would be pleased to recommend to the Imperial Parliament to adopt such measures for ascertaining and confirming our just claims as they in their wisdom may devise.

They therefore intreat that Your Excellency will be pleased to cause their Address to His Majesty, Report and Documents to be laid at the foot of the Throne.

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honourable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency: The Legislative Council and House of Assembly in Provincial Parliament assembled have concurred in a Report and in an Address to His Majesty respecting our financial relations with the Province of Lower Canada, and as matters stated in the Report, and also the prayer of the Address, relate to the acts and may affect the interests of that Province, we herewith lay before your Excellency a Copy of the same, and humbly pray Your Excellency to take the earliest opportunity of transmitting them to the Governor of Lower Canada for the information of the Legislature of that Province.

Mr. Speaker: The Honourable the Legislative Council have concurred in the Resolutions of the Commons House of Assembly accompanying a message received from that House this day.

Wm. Dummer Powell, Speaker.

Legislative Council Chamber, 8th January, 1822.

The House again went into Committee on the Intercourse Amendment Bill, Mr. Willson, of Prince Edward, in the Chair. The House resumed. Mr. Willson reported the Bill as amended. Ordered that the Report be received. Mr. Nichol, seconded by Mr. Attorney General, moves that the Intercourse Amendment Bill be engrossed, and read a third time to-morrow. Which was ordered.

Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that Messrs. McDonell and Bostwick be a Committee to acquaint the Honourable the Legislative Council that this House has concurred in the several Joint Addresses sent down from that Honourable House this day. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that Messrs. McDonell and Bostwick be a Committee to request a Conference with the Honorable the Legislative Council, for the purpose of drafting an Address to His Excellency the Lieutenant Governor in pursuance of the Resolutions of this House concurred in by that Honorable House on the subject of the appointment of a Commissioner to lay at the foot of the Throne the Joint Address of both Houses respecting the commercial relations of this Province with Lower Canada. Which was ordered.

Dr. Baldwin, from the Committee to whom was referred the Petition of Edward Oates, informed the House that the Committee had agreed to report by Bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Ordered that the Report be now received, and the Bill was read the first time.

Dr. Baldwin, seconded by Mr. Willson, Prince Edward, moves that the Bill for the relief of Coasting Vessels from Port Fees be read a second time to-morrow. Which was ordered.

Mr. McLean, Stormont, from the Committee on Militia laws, reported a Bill, which was received and read the first time. Mr. McLean of Stormont, seconded by Mr. Ruttan, moves that the Militia Law Amendment Bill be read a second time to-morrow. Which was ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. McDonell,-moves that the House do now resolve itself into a Committee of Supply. Which was carried, and Mr. Ruttan took the Chair of the Committee. The House resumed. Mr. Ruttan reported progress, and obtained leave to sit again to-morrow.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message, and having withdrawn, the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have agreed to a conference with the Commons House of Assembly for the purpose of drafting an Address to His Excellency the Lieutenant Governor in pursuance of the Resolutions concurred in by this House on the subject of the appointment of a Commissioner to lay at the foot of the Throne the Joint Address of both Houses respecting the commercial relations of this Province with Lower Canada, and have appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly for that purpose in the Joint Committee Room at ten o'clock to-morrow morning.

Legislative Council Chamber, WM. DUMMER POWELL, *Speaker.*
8th January, 1822.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that Messrs. Nichol, McLean, Frontenac, Hagerman and McDonell be a Committee to confer with the Honorable the Legislative Council, for the purpose of drafting a Joint Address

to His Excellency the Lieutenant Governor on the subject of the appointment of a Commissioner to present at the foot of the Throne the Joint Address of both Houses respecting the Commercial Relations of this Province with Lower Canada. Which was ordered.

Mr. Wilmot, seconded by Mr. Robinson, moves that the Report of the Committee to whom was referred the Petition of John Henry be referred to the Committee of Supply. Which was ordered.

Mr. Walsh, from the Committee to whom was referred the petition of James Carroll, informed the House that the Committee had agreed to report by Bill for his relief, a draft of which was ready to be submitted whenever the House should be pleased to receive the same. Ordered that the Report be now received, and the Bill for the relief of James Carroll was read the first time.

Mr. Walsh, seconded by Mr. Chisholm, moves that the Bill granting relief to James Carroll be read a second time to-morrow. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 9th January, 1822.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the amendments to the Bill sent down from the Honorable the Legislative Council, intituled "An Act to repeal part of and amend the laws now in force respecting the Practice of His Majesty's Court of King's Bench in this Province," were read the third time.

Mr. McLean of Stormont, seconded by Dr. Baldwin, moves that the word "third" in Press. 2, line 8, be expunged, and the word "first" be inserted. Which was lost.

Mr. Attorney General, seconded by Mr. McLean of Stormont, moves that the Bill intituled "An Act to repeal part of and amend the laws now in force respecting the practice of His Majesty's Court of King's Bench in this Province," as amended, do now pass. Which was carried, and the Bill signed.

Mr. Attorney General, seconded by Mr. McLean of Stormont, moves that Messrs. Nichol and Hagarman be a Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to repeal part of and amend the laws now in force respecting the practice of His Majesty's Court of King's Bench in this Province," with the amendments. Which was ordered.

Mr. Nichol, from the Joint Committee of both Houses appointed to draft an Address to His Excellency the Lieutenant Governor, praying him to appoint J. B. Robinson, Esquire, Attorney General, as Commissioner to take to England and present at the foot of the Throne the Joint Address of both branches of the Legislature, to His Majesty, relative to the Financial Concerns of this Province with Lower Canada, reported that the Committee had agreed to a draft, which was received and read, and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, etc.

May it please Your Excellency: The Legislative Council and House of Assembly, while concurring in a Report and in an Address to Our Most Gracious Sovereign on the subject of our Financial Relations with Lower Canada, have also united in a desire that on an occasion of such vast importance to the interests of

this Province some person of talent and consideration may be appointed to lay their Address at the foot of the Throne.

The Legislative Council and House of Assembly, while they disclaim all desire of interfering with an appointment which, by their joint resolution, rests solely with Your Excellency, and repose the fullest confidence in Your Excellency's wisdom to select a person duly qualified for this important mission, on considering the magnitude of the object have agreed in opinion, from their experience of the extensive information of His Majesty's Attorney General on the affairs of this Province, that the duties suggested by the Report will be fulfilled by him in a manner most conducive to the attainment of the important end they have in view.

Mr. Wilmot, from the Committee to whom was referred the Petition of Thomas Ward and others, informed the House that the Committee had agreed to a Report, which was received and read as follows:

Report of the Committee on the Petition of Thomas Ward, Esquire, and others, of the District of Newcastle.

The Committee have examined into the allegations of the Petitioners, which are correctly stated, the Petitioners having been summoned to attend, and were examined at the Bar of this House on the Contested Election of the County of Durham.

Your Committee are of opinion that the Petitioners are entitled to compensation, and recommend the accounts be referred to the Committee on the Contingent Accounts.

Your Committee have further to observe that a Bond was taken, by order of the House, from the Petitioning Candidate, the payment of which ought, in the opinion of Your Committee, to be enforced. Your Committee have therefore instructed their Chairman to move Your Honorable House concerning therein;

That it be resolved that the claims of Thomas Ward, Marcus Whitehead and Richard Lovekin be referred to a Committee on the Contingent Accounts.

Resolved, That a Prosecution be entered against George S. Boulton, to enforce the payment of his bond to the Clerk of this House to pay the expenses of the Trial of the contested Elections.

SAMUEL S. WILMOT, *Chairman of Committee.*

On the third reading of the Intercourse Amendment Bill being called, Mr. Nichol, seconded by Mr. Burwell, moves that the Intercourse Bill be re-committed. Which was carried.

Mr. Nichol, seconded by Mr. Burwell, moves that the fifth Rule of the House be dispensed with in so far as to enable him to move that the Petition of William Forsyth of Stamford be referred to the Committee of the Whole on the Intercourse Amendment Bill, and that the Petition be referred to the said Committee. Which was carried.

The House then went into Committee on the Intercourse Amendment Bill, Mr. Willson of Prince Edward in the Chair. The House resumed. Mr. Willson reported the Bill without amendment. Ordered that the Report be received.

Agreeably to the order of the day, the Intercourse Amendment Bill was read the third time. Mr. Nichol, seconded by Mr. Burwell, moves that the Intercourse Bill do now pass, and that it be intituled "An Act to amend and extend the provisions of an Act passed in the second year of His Majesty's Reign, intituled an Act to repeal an Act passed in the first year of His Majesty's Reign, intituled an Act to regulate the Commercial Intercourse between this Province

and the United States of America, by land and inland navigation, and further to regulate the trade between this Province and the United States of America, by land and inland navigation." which was carried, and the Bill signed.

Agreeably to the order of the day, the Bill to restrain the selling of liquors to Indians was read the second time. Mr. Wilmot, seconded by Mr. Clark, moves that the House do resolve itself into a Committee of the whole to take into consideration the Bill to prohibit the sale of Spirituous Liquors to Indians. Which was carried, and Mr. Randal took the Chair of the Committee. The House resumed. Mr. Randal reported the Bill as amended. Ordered that the Report be received.

Mr. Wilmot, seconded by Mr. Clark, moves that the Bill to Prohibit the Sale of Spirituous Liquors to Indians be engrossed, and read a third time on to-morrow. Which was ordered.

Agreeably to notice, Mr. McLean of Frontenac, seconded by Mr. Hagerman, moves for leave to bring in a Bill intituled "An Act to authorize the Magistrates in Quarter Sessions for the Midland District to increase the Rates and Assessments for the said District for the term of two years, for the purpose of erecting a new Gaol and Court House in the said District." Which was granted, and the Bill read.

Mr. McLean, of Frontenac, seconded by Mr. Robinson, moves that the Bill intituled "An Act to authorize the Magistrates in Quarter Sessions assembled for the Midland District to increase the Rates and Assessments for the said District for the term of two years, for the purpose of erecting a new Gaol and Court House in the said District," be read a second time on to-morrow. Which was ordered.

Mr. Jones, of Grenville, seconded by Mr. Gordon, moves that Messrs. Nichol and Hagerman be a Committee to carry up to the Hon. the Legislative Council the Intercourse Bill, and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Disqualification Bill was read the second time. Mr. Nichol, seconded by Mr. Hagerman, moves that the House do now resolve itself into a Committee of the Whole on the Disqualification Bill. Which was carried, and Mr. Gordon took the Chair. The House resumed. Mr. Gordon reported the Bill as amended. Ordered that the Report be received.

Mr. Nichol, seconded by Mr. Gordon, moves that the Disqualification Bill be engrossed, and read a third time to-morrow. Which was ordered.

Mr. Boulton, Master in Chancery, brought down from the Hon. the Legislative Council the Bill intituled "An Act to make further regulation respecting the weekly maintenance of insolvent debtors," and the Bill intituled "An Act to continue an Act passed in the forty-sixth year of His late Majesty's Reign, intituled An Act to make provision for certain Sheriffs in this Province, and a certain other Act of the Parliament of this Province passed in the fifty-seventh year of His late Majesty's Reign, intituled an Act further to continue an Act passed in the forty-sixth year of His Majesty's Reign, intituled an Act to make provision for certain Sheriffs in this Province, and also to extend the provisions of the said Act, and to protect the interests of Suitors in certain cases," which they had passed without amendment.

Agreeably to the order of the day, the Coasting Vessel Bill was read the second time. Dr. Baldwin, seconded by Mr. Willson, of Prince Edward, moves that this House do now resolve itself into a Committee of the Whole, to take into consideration the Bill for the relief of Coasting Vessels. Which was carried, and Mr. Gates took the Chair. The House resumed. Mr. Gates reported the Bill as amended. Ordered that the Report be received.

Dr. Baldwin, seconded by Mr. Willson, of Prince Edward, moves that the Bill for the Relief of Coasting Vessels be engrossed, and read a third time to-morrow. Which was ordered.

Mr. Hagerman, from the Committee to whom was referred the practicability of encouraging the cultivation of hemp within this Province, reported a Bill for that purpose, which was received and read the first time.

Mr. Hagerman, seconded by Mr. Chisholm, moves that the Hemp Bill be read a second time to-morrow. Which was ordered.

Mr. Robinson, from the Committee to whom was referred the Petition of Peter Miller, informed the House that the Committee had agreed to report by Bill for his relief, a draft of which he was ready to submit to the House whenever they would be pleased to receive the same. Ordered that the Report be received, and the Bill was read the first time.

Mr. Robinson, seconded by Mr. Kerr, moves that the Bill for the relief of Peter Miller be read a second time on to-morrow. Which was ordered.

Agreeably to the order of the day, the Militia Bill was read the second time. Mr. McLean, of Stormont, seconded by Mr. Shaver, moves that this House do now resolve itself into a Committee of the Whole, to take into consideration the Militia Law Amendment Bill. Which was carried, and Mr. Clark took the Chair of the Committee. The House resumed. Mr. Clark reported progress and obtained leave to sit again to-morrow.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message and having withdrawn the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have appointed a Committee of two Members to wait upon His Excellency the Lieutenant Governor, to know when His Excellency will be pleased to receive the Joint Addresses of both Houses to His Majesty and to Himself, respecting the Financial Relation of this Province with Lower Canada.

WM. DUMMER POWELL, Speaker.

Legislative Council Chamber,
9th January, 1822.

Mr. Jones, of Grenville, seconded by Mr. Atty. General, moves that Messrs. Robinson, McLean, of Stormont, Bostwick and Chisholm be a Committee to wait upon His Excellency the Lieutenant Governor with the Committee of the Honorable the Legislative Council, to know when he will be pleased to receive the Joint Addresses of both Houses to His Majesty, and also the Joint Addresses of both Houses to His Excellency the Lieutenant Governor respecting our financial concerns with Lower Canada. Which was carried.

Mr. Jones, of Grenville, seconded by Mr. Atty. General, moves that Messrs. Robinson and Casey be a Committee to inform the Hon. Legislative Council that this House has appointed a Committee to wait upon His Excellency the Lieutenant Governor with the Committee of that Honorable House, to know when His Excellency will be pleased to receive the Joint Addresses of both Houses to His Majesty and to His Excellency, respecting our financial concerns with Lower Canada. Which was ordered.

Mr. Atty. General gives notice that he will move to-morrow for leave to bring in a Bill to amend the laws respecting claims to forfeited Estates in this Province

Mr. Kerr gives notice that he will to-morrow move for leave to bring in a Bill to alter the name of the Town of York to that of Toronto.

Mr. Jones, of Grenville, seconded by Mr. Atty. General, moves for leave to bring up the Petition of George Hamilton, Esq., and others, Freeholders of the Counties of Prescott and Russell, and that the Rule of this House of the Seventeenth of February last be dispensed with so far as relates to the said Petition. Which was granted, and the Petition brought up.

The House then adjourned till ten o'clock to-morrow.

Thursday, 10th January, 1822.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the Liquor Selling Restraint Bill was read the third time. Mr. Gordon, seconded by Mr. Nichol, moves that after the word "organized" throughout the Bill the words "Counties or" be inserted. Which was carried.

Mr. Wilmot, seconded by Mr. Kerr, moves that the Bill do now pass, and that it be intituled "An Act to prohibit the sale of Spirituous Liquors to Indians within the Organized Counties or Townships of this Province." Which was carried, and the Bill signed.

Mr. Wilmot, seconded by Mr. Kerr, moves that Messrs. Randal and Horner be a Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to prohibit the sale of Spirituous Liquors to Indians within the organized Counties or Townships of this Province," and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Disqualification Bill was read the third time. Mr. Nichol, seconded by Mr. Gordon, moves that the Disqualification Bill do now pass, and that it be intituled "An Act to render ineligible to a seat in the Commons House of Assembly of this Province certain descriptions of persons therein mentioned." On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Bostwick, Willson (Prince Edward), Baldwin, Walsh, White, Peterson, Hamilton (Wentworth), Clark, Burwell, Chisholm, Kerr, Ruttan, Jones (Grenville), Gates, McLean (Stormont), Wilmot, Pattie, Shaver, Robinson, Hagerman, Gordon, McDonell, Hamilton (Lincoln).

Nay: Mr. Randal.

The question was carried in the affirmative by a majority of twenty-four, and the Bill signed.

Mr. Robinson, seconded by Mr. Shaver, moves that Messrs. Nichol and Hagerman be a Committee to carry up to the Hon. the Legislative Council the Bill intituled "An Act to render ineligible to a seat in the Commons House of Assembly of this Province certain descriptions of persons therein mentioned," and to request their concurrence therein. Which was ordered.

Agreeably to the order of the day, the Coasting Vessel Relief Bill was read the third time.

Dr. Baldwin, seconded by Mr. Bostwick, moves that the Bill do now pass, and that it be intituled "An Act for granting to His Majesty, His Heirs and Successors a Revenue in aid of the fund established for the erection and repairing of Lighthouses, and to relieve the Coasting Vessels of His Majesty's Subjects from Port Charges on entering and clearing out of the Ports within this Province." Which was carried, and the Bill signed.

Dr. Baldwin, seconded by Mr. Gordon, moves that Messrs. Robinson and Bostwick be a Committee to carry up to the Honorable the Legislative Council the Coasting Vessel Relief Bill, and to request their concurrence thereto. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves that the Petition of George Hamilton and others be now read, and that the sixth Rule of this House be dispensed with for that purpose. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hagerman, Bostwick, Atty. General, Burwell, Jones (Gren.) Hamilton (Lin.), Casey, Gates, Shaver, McLean (Stor.), McLean (Front.), Robinson.

Nays: Messrs. Walsh, Nichol, Willson (P. E.), Baldwin, Randal, Clark, White, Peterson, Horner, Hamilton (Went.), Baby, Chisholm, Kerr, Wilmot, Ruttan, McDonell, Gordon.

It was carried in the negative by a majority of five, and lost accordingly.

Agreeably to the order of the day, the House went into Committee of Supply, Mr. Ruttan in the Chair. The House resumed, Mr. Ruttan reported progress, and obtained leave to sit again to-day. Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act for the relief of John Crysler, Esq.," which they had passed without amendment.

Mr. Jones of Grenville, seconded by Mr. Hagerman, moves that it be resolved that this House do concur in the Joint Address reported upon the subject of the appointment of a Commissioner to lay at the foot of the Throne the Joint Address of both Houses to His Majesty, respecting the financial relations of this Province with Lower Canada. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Hagerman, moves that Messrs. Burwell and Walsh be a Committee to acquaint the Honorable the Legislative Council that this House has concurred in the Joint Address to His Excellency on the subject of the appointment of a Commissioner to lay at the foot of the Throne the Joint Address of both Houses respecting the financial concerns of this Province with Lower Canada. Which was ordered.

The House went again into Committee of Supply, Mr. Ruttan in the Chair. The House resumed. Mr. Ruttan reported that the Committee had agreed to certain Resolutions, which he was directed to submit for the adoption of the House, and to ask leave to sit again to-morrow. Ordered that the Report be received, leave granted, and it was:

Resolved, That there be granted to His Majesty the sum of Two Thousand Five Hundred Pounds, to enable His Excellency the Lieutenant Governor to provide an adequate remuneration to a Commissioner to be appointed, as recommended by the Joint Report adopted by both Houses, to present the Address to His Majesty on the subject of the Commercial Intercourse between this Province and Lower Canada, and to solicit and explain the interests of this Province in respect to the matters referred to in the said Address.

Resolved that a supply be granted to His Majesty, to enable His Majesty to satisfy the following services for the year One Thousand Eight Hundred and Twenty-two, viz.:

For the Administration of Justice, to be employed in paying Judges for travelling expenses on Circuit	£300	0	0
Usher and Keeper of the Court of King's Bench...	18	0	0

Law Charges, including Fees to Clerk of Assize....	£1,182	0	0
Offices of the Government	1,150	0	0
Receiver General's Office	500	0	0
Surveyor General's Office	1,200	0	0
Executive Council Office	650	0	0
Secretary and Register's Office	250	0	0
Inspr. General's Office	420	0	0
Government Printer	120	0	0
Repairs and Contingencies of the Government House.	200	0	0
Casual and other expenses	500	0	0
	£6,490	0	0

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council an Address and Message, and having withdrawn, the Speaker read the same as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c., &c.

May it please Your Excellency:

The Legislative Council and House of Assembly, while concurring in a Report and in an Address to Our Gracious Sovereign on the subject of our financial relations with Lower Canada, have also united in a desire that on an occasion of such vast importance to the interests of this Province some person of talent and consideration may be appointed to lay their Address at the foot of the Throne.

The Legislative Council and House of Assembly, while they disclaim all desire of interfering with an appointment which by their Joint Resolution rests solely with Your Excellency, and repose the fullest confidence in Your Excellency's wisdom to select a person duly qualified for this important mission, on considering the magnitude of the object, have agreed in opinion, from their experience of the extensive information of His Majesty's Attorney General on the affairs of this Province, that the duty suggested by the Report will be fulfilled by him in a manner most conducive to the attainment of the important end which they have in view.

Mr. Speaker: The Honorable the Legislative Council have concurred in the amendments made by the Commons House of Assembly in and to the Bill intituled "An Act to repeal part of and amend the laws now in force respecting the Practice of His Majesty's Court of King's Bench in this Province."

Legislative Council Chamber, 10th January, 1822.

Wm. Dummer Powell, Speaker.

The Address was concurred in and signed.

The House then adjourned till ten o'clock to-morrow.

Friday, 11th January, 1822.

The House met: Prayers were read: the Minutes of Yesterday were read.

Mr. Robinson, from the Committee to wait upon His Excellency the Lieutenant Governor to know when he would be pleased to receive both Houses with

their Joint Addresses relative to the means of effecting more certain arrangements of our financial concerns with the Province of Lower Canada, reported that His Excellency had been pleased to name the hour of eleven o'clock this day.

At eleven A.M. the House, in company with the Honorable the Legislative Council, went up to His Excellency the Lieutenant Governor's, and being returned the Speaker reported to the House the delivery of the Addresses, and that His Excellency had been graciously pleased to make to them the following replies:

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—You may rest assured that no step shall be omitted on my part to assure the possibility that your Joint Address to His Majesty, and the Report and other documents accompanying it, may be submitted to the gracious consideration of your Sovereign at the earliest occasion.

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—I shall have great pleasure in giving effect to a measure so candid and honorable as that which you have proposed by transmitting to the Governor of Lower Canada for the information of the Legislature of that Province a copy of Your Report, and of Your Joint Address to His Majesty.

Mr. Nichol, seconded by Mr. Willson of Prince Edward, moves that the fifth Rule of this House be dispensed with in so far as to enable him to move that an humble Address be presented to His Excellency the Lieutenant Governor to request His Excellency to direct the proper Officer to lay before this House an account of the gross produce of the sales of the Forfeited Estates, also of the expenses incurred under the Act of the 58 Geo. III., Cap. 12, also of the debentures issued on account of the same, also of the sums outstanding and due to the Commissioners for property sold by them, and of the property remaining unsold in so far as the same be made up. Which was carried.

Mr. Nichol, seconded by Mr. Willson of Wentworth, moves that Messrs. Baldwin and Hamilton of Wentworth be a Committee to draft an Address to His Excellency the Lieutenant Governor in conformity to the Resolution of this House. Which was ordered.

Dr. Baldwin, seconded by Mr. Willson of Prince Edward, moves for leave to bring up the Petition of Jacob Smith. Which was granted and the Petition brought up.

The Petition of George Hamilton and others of the Counties of Prescott and Russell was then read.

Mr. Hagerman, seconded by Mr. Bostwick, moves that Messrs. Jones of Grenville and Willson of Prince Edward be a Committee to inform the Honorable the Legislative Council that this House has concurred in the Joint Address relative to the appointment of a Commissioner to carry to England the Joint Report and Address of the Legislature of this Province on the subject of our commercial relations with Lower Canada. Which was ordered.

Mr. Nichol, seconded by Mr. Willson of Wentworth, moves that the allegations contained in the Petition of George Hamilton and others, Freeholders of the Counties of Prescott and Russell, against David Pattie, Esq., Sitting Member for the said County, having reference to occurrences in the United States of America, where Upper Canada has no jurisdiction, are not cognizable by this House. The previous question was put and carried.

Agreeably to the order of the day, the House went into Committee of Supply, Mr. Ruttan in the Chair. The House resumed, the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a message, and having withdrawn the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council request a conference with the Commons House of Assembly on the subject matter of the Bill sent up from that Honorable House intituled "An Act to render ineligible to a seat in the Commons House of Assembly of this Province certain descriptions of persons in this Province."

The Legislative Council have appointed for that purpose a Committee of two Members, who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at one o'clock this day.

Legislative Council Chamber, WM. DUMMER POWELL, Speaker.
11th January, 1822.

Mr. Jones of Grenville, seconded by Mr. McDonell, moves that Messrs. Nichol, Atty. General, Hagerman and McLean of Stormont be a Committee to confer with the Honorable the Legislative Council on the Bill sent up from this House intituled "An Act to render ineligible to a seat in the Commons House of Assembly of this Province certain descriptions of persons therein mentioned." Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Atty. General, moves that Messrs. McDonell and Casey be a Committee to acquaint the Honorable the Legislative Council that this House has appointed a Committee to confer with that Honorable House on the Bill sent up from this House intituled "An Act to render ineligible to a seat in the Commons House of Assembly of this Province certain descriptions of persons therein mentioned" at the time and place appointed. Which was ordered.

The House went again into Committee of Supply, Mr. Ruttan in the Chair. The House resumed, the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a message, and having withdrawn the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have appointed two of its members to wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive the Joint Address of both Houses upon the subject of the appointment of a Commissioner to lay at the foot of the Throne the Joint Address of both Houses to His Majesty respecting the financial relations of this Province with Lower Canada.

Legislative Council Chamber, WM. DUMMER POWELL, Speaker.
11th January, 1822.

Mr. Jones of Grenville, seconded by Mr. McDonell, moves that Messrs. Hagerman, Burwell, Bostwick and Casey be a Committee to wait upon His Excellency the Lieutenant Governor with the Committee of the Honorable the Legislative Council, to know when His Excellency will be pleased to receive the Joint Address of both Houses on the subject of the appointment of a Commissioner to lay at the foot of the Throne the Joint Address of both Houses respecting the financial concerns of this Province with Lower Canada. Which was carried.

The House went again into Committee of Supply, Mr. Ruttan in the Chair. The House resumed, Mr. Ruttan reported that the Committee had agreed to certain Resolutions, which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow. Ordered that the Report be received, leave granted, and it was:

Resolved, That there be granted annually to His Majesty the sum of Three Hundred and Sixty-five Pounds to provide a salary for the Adjutant General of Militia.

Resolved, That a further sum of One Hundred and Fifty Pounds be granted annually to His Majesty to enable him to provide a salary for an Assistant Adjutant General of Militia.

Resolved, That the sum of Eighty-five Pounds be granted annually to His Majesty to enable him to defray the contingencies of the Adjutant General's Office.

Resolved, That the sum of Fifty Pounds be granted to His Majesty, His Heirs and Successors to pay the salary of a Deputy Sergeant at Arms during the life of the Officer holding the situation of Sergeant at Arms.

Mr. Willson of Wentworth gave notice that he will move on Monday next for leave to bring in a Bill for the further and more effectual encouragement of the Destruction of Wolves in the Province.

The House then adjourned till to-morrow at ten o'clock.

Saturday, 12th January, 1822.

The House met: Prayers were read: The Minutes of yesterday were read.

Dr. Baldwin, from the Committee to draft an Address to His Excellency the Lieutenant Governor praying for certain papers relative to the Forfeited Estates, reported a draft, which was received and read the first time.

Mr. Nichol, seconded by Dr. Baldwin, moves that the fifth rule of the House be dispensed with so far as relates to the Address to His Excellency the Lieutenant Governor, and that it be now read a second time. Which was ordered, and the Address was read the second time.

Mr. Nichol, seconded by Dr. Baldwin, moves that the House do now resolve itself into a Committee to take into consideration the Address to His Excellency the Lieutenant Governor. Which was carried, and Dr. Baldwin took the Chair of the Committee. The House resumed. Dr. Baldwin reported the Address without amendment. Ordered that the Report be received.

Mr. Nichol, seconded by Dr. Baldwin, moves that the Address to His Excellency the Lieutenant Governor be engrossed and read a third time this day. Which was ordered.

Agreeably to the order of the day, the Miller Relief Bill was read the second time. Mr. Robinson, seconded by Dr. Baldwin, moves that the House go into Committee of the Whole to take into consideration the Bill for the relief of Peter Miller. Which was carried, and Mr. Willson of Prince Edward took the Chair of the Committee. The House resumed. Mr. Willson reported the Bill as amended. Ordered that the Report be received.

Mr. Robinson, seconded by Dr. Baldwin, moves that the Bill for the relief of Peter Miller be engrossed and read a third time this day, and that the fifth Rule of the House be dispensed with as far as regards the same. Which was ordered.

Agreeably to the order of the day, the Midland District Gaol and Court House Bill was read the second time.

Mr. McLean of Frontenac, seconded by Mr. Burwell, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the Midland District Gaol and Court House Bill. Which was carried, and Mr. Horner took the Chair of the Committee. The House resumed, the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to render ineligible to a seat in the Commons House of Assembly of this Province certain descriptions of persons therein mentioned," which they had passed with an amendment, and which they recommended for the adoption of this House; and having withdrawn, the amendment was read as follows:

Press. 1, line 16. After "respectively" insert "or who shall or may have been convicted in any foreign country of felony, or of any offence which if committed in this Province would subject the offender to infamous punishment."

Agreeably to order, the Address to His Excellency the Lieutenant Governor for certain papers relative to the Forfeited Estates was read the third time, passed and signed by the Speaker, and is as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein.

May it please Your Excellency: We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, do most humbly request that Your Excellency will most graciously be pleased to direct the proper officer to lay before us the following documents:

First, an Account of the Gross Produce of the sales of Forfeited Estates.

Second, an Account of the Expenses under the Act 58 Geo. III., Cap. 12.

Third, also of all Debentures issued under the authority of the said Act.

Fourth, Also of the sums outstanding and due to the Commissioners for property sold by them, and of the property remaining unsold, in so far as the same can be made up.

Commons House of Assembly, 12th Jan., 1822. Levius P. Sherwood, Speaker.

Mr. Nichol, seconded by Mr. Horner, moves that Messrs. Burwell and Bostwick be a Committee to wait upon His Excellency the Lieutenant Governor, to know when His Excellency will be pleased to receive the Address of this House, and to present the same. Which was ordered.

Mr. Nichol, seconded by Mr. Bostwick, moves that the amendments made by the Honorable the Legislative Council in and to the Disqualification Bill be read the second time this day, and that the fifth Rule of the House be dispensed with in so far as relates to the said amendments. Which was carried, and the amendment was read the second time. The question of concurrence was then put and carried.

Mr. Burwell, seconded by Mr. Hamilton of Lincoln, moves that Messrs. Jones of Grenville and Gordon, be a Committee to acquaint the Honorable the Legislative Council that this House has concurred in the amendment made by that Honorable House to the Disqualification Bill. Which was ordered.

The House went again into Committee on the Midland District Gaol and Court House Bill, Mr. Horner in the Chair. The House resumed. Mr. Horner reported the Bill as amended. Ordered that the Report be received.

Mr. Hagerman, seconded by Mr. McLean of Frontenac, moves that the Midland District Gaol and Court House Bill be engrossed and read a third time this day, and that the fifth Rule of this House be dispensed with for that purpose. Which was ordered.

Agreeably to order, the Bill for the Relief of Peter Miller was read the third time.

Mr. Robinson, seconded by Mr. McDonell, moves that the Bill do now pass, and that it be intituled "An Act for the Relief of Peter Miller." Which was carried, and the Bill signed.

Mr. Burwell, seconded by Mr. McLean of Frontenac, moves that Messrs. Robinson and Baldwin be a Committee to carry up to the Honorable the Legislative Council the Bill for the Relief of Peter Miller, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Militia Law Amendment Bill, Mr. Clark in the Chair. The House resumed. Mr. Clark reported the Bill amended. Ordered that the Report be received. Mr. McLean of Stormont, seconded by Mr. Jones of Grenville, moves that the Militia Law Amendment Bill be engrossed, and read a third time on Monday next. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that Messrs. Nichol and Hagerman be a Committee to draft a Bill granting to His Majesty a sum of money for the purpose of remunerating a Commissioner to be appointed to lay at the foot of the Throne the Joint Address of both Houses relative to the financial concerns of this Province with Lower Canada, pursuant to the Resolution of this House, and also a Bill authorizing the appointment of such Commissioner. Which was ordered.

Mr. Nichol, from the Committee to draft a Bill granting to His Majesty a sum of money for the purpose of remunerating a Commissioner to be appointed to lay at the foot of the Throne the Joint Address of both Houses relative to the financial concerns of this Province with Lower Canada, pursuant to the Resolution of this House, and also a Bill authorizing the appointment of such Commissioner, reported two Bills, which were received, and the Commissioners Appointment Bill was read the first time.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that the fifth Rule of the House be dispensed with in so far as relates to the Commissioners Bill, and that it be now read a second time. Which was carried, and the Commissioners Appointment Bill was read the second time.

Agreeably to order, the Midland District Gaol and Court House Bill was read the third time. Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the Bill do now pass, and that it be intituled "An Act to authorize His Majesty's Justices of the Peace for the Midland District to obtain by loan a sum of money for the purpose of erecting a Gaol and Court House in the Town of Kingston." Which was carried, and the Bill signed.

Mr. Hagerman, seconded by Mr. Burwell, moves that Messrs. Nichol and Jones, of Grenville, be a Committee to carry up to the Honorable the Legislative Council the Midland District Gaol and Court House Bill and to request their concurrence thereto. Which was ordered.

Mr. Nichol, seconded by Mr. Hagerman, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the Commissioners Bill. Which was carried, and Mr. Burwell took the Chair of the Committee. The House resumed. Mr. Burwell reported the Bill as amended. On the question for receiving the report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Bostwick, Hagerman, Nichol, Ruttan, Willson (P. E.), Burwell, Pattie, Horner, Willson (Went.), Walsh, Chisholm, Hamilton (Went.), Casey, Wilmot, McLean (Front.), Baby, Peterson, Jones (Gren.), Gordon, Hamilton (Lin.), Kerr, McDonell.

Nays: Messrs. Randal, Baldwin, Clark.

The question was decided in the affirmative by a majority of nineteen, and the Report received accordingly.

Mr. Nichol, seconded by Mr. Hagerman, moves that the Commissioners Bill be engrossed, and read a third time on Monday next. Which was ordered.

The Commissioners Compensation Bill was then read the first time.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that the Bill granting to His Majesty the sum of Two Thousand Five Hundred Pounds be read a second time this day, and that the fifth Rule of this House be dispensed with as far as it relates to the said Bill. Which was carried, and the Bill was read the second time.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that the Commissioner's Compensation Bill be now referred to a Committee of the Whole. Which was carried, and Mr. Randal took the Chair of the Committee. The House resumed. Mr. Randal reported progress, and obtained leave to sit again on Monday.

Mr. Hagerman, seconded by Mr. Nichol, moves that Messrs. Atty. General and Jones, of Grenville, be a Committee to draft a Bill granting to His Majesty a sum of money to increase the salary of the Adjutant General, to provide for the appointment of an Assistant Adjutant General, and to defray the contingencies of the Adjutant General's Office, conformably with the Resolution of this House. Which was ordered.

The House then adjourned till ten o'clock on Monday next.

Monday, 14th January, 1822.

The House met: Prayers were read: The Minutes of Saturday were read.

Agreeably to the order of the day, the Commissioner's Appointment Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves that the bill do now pass, and that it be intituled "An Act to authorize the appointment of a Commissioner for the purpose therein mentioned." Which was carried, and the Bill signed.

Mr. Jones of Grenville, seconded by Mr. Hamilton of Lincoln, moves that Messrs. McDonell and Shaver be a Committee to carry up to the Honorable the Legislative Council the Commissioner's Appointment Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Militia Law Amendment Bill was read the third time.

Dr. Baldwin, seconded by Mr. Walsh, moves that the following clause be added as a rider:

"And be it further enacted by the authority aforesaid, that this Act shall be and continue in force for the space of four years, and from thence to the end of the then next ensuing Session of Parliament, and no longer."

In amendment, Mr. Casey, seconded by Mr. Horner, moves that the word "four" be expunged, and "two" inserted. Which was lost.

Mr. Jones of Grenville, seconded by Mr. McLean of Frontenac, moves that the word "four" be expunged and "six" inserted. Which was lost. The main question was then put and carried.

Mr. Atty. General, seconded by Mr. Shaver, moves that the Bill do now pass, and that it be intituled "An Act to repeal part of and to amend the laws now in force for the raising and training the Militia of this Province."

In amendment, Mr. Peterson, seconded by Mr. Walsh, moves that after the word "that" the remainder be expunged, and that "it do pass this day three months" be inserted. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson (P. E.), Walsh, Casey, White, Pattie, Willson (Went.), Horner, Clark, Baby, Peterson, Chisholm, Randal, Hamilton (Went.).

Nays: Messrs. Atty. General, Burwell, Bostwick, Baldwin, McMartin, McDonell, Gordon, Nichol, McLean (Stor.), Robinson, Ruttan, Wilmot, Jones (Gren.), Gates, Kerr, Hamilton (Lin.), Shaver, McLean (Front.).

The question was decided in the negative by a majority of five, and lost accordingly.

The Main question was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Atty. General, Burwell, Bostwick, Baldwin, Nichol, Gordon, McLean (Stor.), Ruttan, McLean (Front.), Wilmot, McMartin, Robinson, McDonell, Gates, Kerr, Hamilton (Lin.), Jones (Gren.), Shaver.

Nays: Messrs. Willson (P.E.), Walsh, Randal, Casey, Clark, Horner, White, Pattie, Willson (Went.), Baby, Peterson, Hamilton (Went.), Chisholm.

The question was carried in the affirmative by a majority of five, and the Bill passed and was signed by the Speaker.

Mr. Burwell, seconded by Mr. Jones of Grenville, moves that Messrs. McLean of Stormont and Robinson be a Committee to carry up to the Honorable the Legislative Council the Militia Law amendment Bill, and to request their concurrence thereto. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Gates, moves that Messrs. Shaver and Casey have leave of absence during the remainder of the Session. Which was granted.

Mr. Gordon, seconded by Mr. Hagerman, moves that the fifth Rule of the House be dispensed with in so far as to enable him to move that the proper officers be directed to bring in forthwith the contingent accounts of this House for the present Session, and that the said accounts be referred to a Select Committee to be composed of Messrs. Jones of Grenville, Hamilton of Wentworth, Wilmot, McLean of Stormont, Baldwin and Ruttan, with power to report upon the same. Which was ordered.

Mr. Hagerman, from the Committee to wait upon His Excellency the Lieutenant Governor, and to present the Joint Address of both Houses, humbly requesting His Excellency to be graciously pleased to appoint J. B. Robinson, Esq., His Majesty's Atty. General, and a Member of this House, as Commissioner to lay at the foot of the Throne the Joint Address of both Houses of the Legislature relative to the financial concerns between this Province and that of Lower Canada, reported that they had presented the said Address, to which His Excellency was graciously pleased to make the following reply:

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—As I entirely concur with you in opinion that from the extent of information of His Majesty's Attorney General in the affairs of this Province the duties suggested by your Report will be fulfilled by him in a manner most conducive to the attainment of the important end which you have in view, I am happy to be enabled on an occasion of so much interest to the country to accede to the wish expressed in your Address.

Agreeably to the order of the day, Mr. Kerr, seconded by Mr. Hamilton of

Lincoln, moves for leave to bring in a Bill to alter the name of the Town of York to that of Toronto. Which was carried, and the Bill read.

Mr. Kerr, seconded by Mr. Hamilton of Lincoln, moves that the Bill for altering the name of York be now read a second time, and that the fifth Rule of the House be dispensed with as far as relates to the said Bill. Which was carried, and the Bill was read a second time.

Mr. Kerr, seconded by Mr. Hamilton of Lincoln, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the Toronto Bill. Which was carried, and Mr. Gordon took the Chair of the Committee. The House resumed. Mr. Gordon reported the Bill as amended. Ordered that the Report be received.

Mr. Kerr, seconded by Mr. Hamilton of Lincoln, moves that the Toronto Bill be engrossed, and read a third time this day. Which was ordered.

Mr. Jones of Grenville, from the Committee to whom was referred the Petition of George Duggan and others of the Town of York, informed the House that the Committee had agreed to a Report, which he was ready to submit for the adoption of the House.

Ordered that the Report be received, and it was read as follows:

The Committee of Your Honorable House to whom was referred the Petition of George Duggan and others, Inhabitants of the Town of York, have taken the same into consideration, and examined several witnesses upon the subject, which examination, with the following observations, Your Committee respectfully submit to Your Honorable House.

The Petitioners pray for the repeal of the Act passed in the fifty-seventh year of His Late Majesty's Reign, intituled "An Act to establish a Police in the Towns of York, Sandwich, and Amherstburgh," so far as the same relates to the Town of York, for the following reasons:

1st. Because the Assessment which the Petitioners are compelled to pay under the authority of the said Act amounts to nearly as much as all the other taxes which they are obliged to bear.

2nd. Because they discover no benefit arising from the money so levied.

3rd. Because they do not see that it is applied to or for the purposes mentioned in the said Act.

4th. Because the Magistrates by the said Act are not made accountable to any person or authority for the expenditure of the money levied.

As to the first objection to the said law, your Committee are of opinion that the tax levied under the authority of the said Act is by no means equal to the amount of the other assessments which the Petitioners are compelled to bear. They are further of opinion that the tax is by no means burthensome, and is continually decreasing, and also that the same is not more than is requisite for the purpose mentioned in the said Act.

As to the second and third objections, your Committee are satisfied that the amount has been beneficially expended according to law.

And as to the fourth objection, although it does not appear that either of the Petitioners examined before Your Committee ever applied to the proper source for information upon the subject, Your Committee are of opinion that it would be satisfactory to the Inhabitants of York, and highly proper to amend the law so far as to compel an Account of the exenditure of the money levied under the authority of the said Act to be annually published.

House of Assembly, Jonas Jones, Allen McLean.
14th Jan., 1822.

Examination of Stephen Howard, Esq., Clerk of the Peace:

1. What amount has been yearly directed to be levied upon the Town of York under the authority of the Act passed in the fifty-seventh Geo. III., Cap 2, since the passing thereof? One Hundred Pounds.

2. What proportion does it bear to the District Assessment? In 1817 it was nearly One Penny in the Pound. In 1820 Five-sixths of One Penny. In 1821 Five-sevenths and One Twenty-fifth.

3. Has the whole amount directed to be levied been annually collected? It has not, from the removal of Inhabitants and other causes. In 1823 only £83 appear to have been collected.

4. Has the whole amount been annually expended? It appears from the audited Accounts filed in my office that for the years 1817, 1818, 1819 and 1820 the sum expended charged against the Police Fund is £414 10s. 9d. leaving at the disposal of the current year ½d.

5. For what purpose has the money been expended? In procuring a Fire Engine, and making such repairs of the Roads as were not within the reach of the Statute labour.

6. Is the Fire Engine fit for use? By report of competent judges the Engine is in good order, with the exception of a trifling breach in the supply hose, which can be easily repaired.

7. Is there any Fire Company, and if not why not? There is none, it being found impossible to compel the attendance of those persons who at first volunteered, and the law not authorizing any exemption from parish duties as an equivalent for that service.

8. Is the sum of One Hundred Pounds annually more than is required for the improvement of the Town? On the contrary, were it not that the Town derives some revenue from rents it would be totally insufficient.

Examination of G. Duggan:

1. Have you any other reason for desiring a repeal of the Police Law of the Town of York than those stated in the Petition to which your signature is subscribed? None.

2. Did you ever apply to the Treasurer to know what amount was collected for the Police, and in what manner the same was expended? I did not.

Examination of John Dennis:

1. Have you any other reason for desiring a repeal of the Police Law of the Town of York than those stated in the Petition to which your signature is subscribed? None.

2. Did you ever apply to the Treasurer to know what amount was collected for the Police and in what manner the same was expended? I did not.

Mr. Baldwin:

1. Have you any other reason for desiring a repeal of the Police Law of the Town of York than those stated in the Petition to which your signature is subscribed? None.

2. What was the amount of your District Assessment for 1821? Five Pounds Seven Shillings and Sixpence.

3. What was the amount of your assessment for the Town during the same year? Three Pounds Thirteen Shillings.

4. Did you ever apply to the Treasurer to know what amount was collected for the Police, and in what manner the same was expended? I did not.

Mr. Atty. General, seconded by Mr. Jones of Grenville, moves that the Clerk be directed to cause the Report of the Special Committee upon the Petition of George Duggan and others, Inhabitants of the Town of York, to be printed in *The Upper Canada Gazette.* Which was ordered.

Agreeably to the order of the day, the Bill for the relief of James Carroll was read the second time.

Mr. Walsh, seconded by Mr. Nichol, moves that this House do now resolve itself into a Committee of the Whole on the Bill for the relief of James Carroll.

Which was carried, and Mr. Robinson took the Chair of the Committee.

The House resumed. Mr. Robinson reported progress, and asked leave to sit again to-day.

Ordered that the Report be received, and leave was granted accordingly.

Mr. Nichol, from the Committee to whom was referred the resolution of supply founded on the Lieut. Governor's Message respecting the Adjutant General's Department, reported a Bill, which was received and read the first time.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to prohibit the sale of Spirituous Liquors to Indians within the organized counties or townships of this Province," which they had passed with some amendments, and which they recommended to the adoption of this House; and having withdrawn the amendments were read as follows:

Press. 1, line 23. After "by" insert "all or either of." After "such" expunge "justices or."

Press. 2, line 8. After "direct" insert "provided nevertheless that nothing in the Act shall extend or be construed to extend to prevent the Officers of the Indian Department from acting according to their instructions in the distribution of presents to Indians."

Press. 2, Expunge the Fourth clause.

Mr. Gordon, seconded by Mr. Wilmot, moved that the amendments made by the Honorable the Legislative Council in and to the Bill to Prohibit the sale of Spirituous Liquors to Indians be read a second time this day, and that the fifth Rule of this House be dispensed with as far as relates to the same, which was carried.

The first amendment was then read again, and the question for concurrence was put and lost.

Mr. Nichol, seconded by Mr. Hagerman, moves that the fifth Rule of this House be dispensed with so far as relates to the Adjutant General Bill, and that it be now read a second time. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones, (Gren.), Nichol, Hagerman, McLean (Stor), Atty. General, Robinson, McLean, (Front.); Burwell, Bostwick, Shaver, McDonell, Gates, Gordon, Ruttan, Pattie.

Nays: Messrs. Willson (P. E.), Baldwin, Randal, Walsh, Willson (Went.), Horner, Wilmot, Casey, Clark, Chisholm, Baby, Hamilton (Went.); Peterson, Kerr.

The question was carried in the affirmative by a majority of one, and the Bill was read the second time.

Mr. Nichol, seconded by Mr. Hagerman, moves that the House do now resolve itself into a Committee of the Whole to take the Adjutant General's Bill into consideration, which was carried, and Mr. Gates took the Chair of the Committee.

The House resumed. Mr. Gates reported the Bill as amended. On the ques-

tion for receiving the Report the House divided, and the yeas and nays were as follows:

Yeas: Messrs. Bostwick, Atty. General, Nichol, Hagerman, Jones (Gren.), McLean (Front.), Robinson, Gates, Gordon, Ruttan, Burwell, McDonell, Hamilton (Lin.), McLean (Stor.), Shaver, McMartin.

Nays: Messrs. Casey, Willson (P. E.), Baldwin, Randal, Willson (Went.), Walsh, Chisholm, White, Horner, Pattie, Hamilton (Went.), Wilmot, Clark, Peterson, Kerr, Baby.

The question was carried in the affirmative by the casting vote of the Speaker, and the Report received accordingly.

Mr. Nichol, seconded by Mr. Hagerman, moved that the Adjutant General's Bill be engrossed and read a third time this day, which was ordered.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to repeal certain parts of an Act passed in the forty-third year of the reign of His late Majesty George the Third, intituled an Act to explain and amend an Act passed in the forty-first year of His Majesty's Reign, intituled an Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province the like duties on goods and merchandise brought into this Province from the United States of America as are now paid on goods and merchandise imported from Great Britain and other places, and to provide more effectually for the collection and payment of duties on goods and merchandise coming from the United States of America into this Province, and also to establish a fund for the erection and repairing of Lighthouses, and to extend the provisions of the several laws now in force regulating the collection of duties on imports into this Province," which they had passed with some amendments and which they recommended to the adoption of this House.

Agreeably to order, the Toronto Bill was read the third time. Mr. Kerr, seconded by Mr. McMartin, moves that the Bill do now pass, and that it be intituled "An Act to alter the name of the Town of York to that of Toronto." Upon which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Bostwick, Jones (Gren.), Atty. General, Gordon, Hagerman, Nichol, Casey, Willson (P.E.), Clark, Baldwin, Willson (Went.), Randal, White, Chisholm, Baby, Horner, Pattie, Hamiton (Went.), Walsh, Wilmot, Peterson, Shaver, McMartin, McLean (Stor.), Kerr, Gates, Hamilton (Lin.), Burwell, Robinson, McDonell, McLean (Stor.),

Nays: Mr. Ruttan.

The question was decided in the affirmative by a majority of thirty, and the Bill was signed.

Mr. Hagerman, seconded by Mr. McMartin, moves that Messrs. Kerr and Robinson be a Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to alter the name of the Town of York to that of Toronto," and to request their concurrence therein, which was ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Hamilton of Lincoln, moves for leave to bring in a Bill to amend the laws respecting Forfeited Estates in this Province, which was granted, and the Bill read.

Mr. Attorney General, seconded by Mr. Gates, moves that the forfeited estate Bill be read a second time this day, and that the fifth Rule of this House be dispensed with so far as respects the said Bill, which was carried, and the Bill was read the second time.

Mr. Attorney General, seconded by Mr. Gates, moves that the House do now

resolve itself into a Committee upon the Forfeited Estate Bill, which was carried, and Mr. Hamilton of Lincoln took the Chair of the Committee. The House resumed. Mr. Hamilton reported the Bill without amendment. Ordered that the Report be received.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Forfeited Estate Bill be engrossed and read a third time this day, which was ordered.

Mr. Speaker reported that he had received a letter from the Attorney General, relative to his appointment as Commissioner, and read the same as follows:

York, January 14th, 1822.

Sir,—His Excellency the Lieutenant Governor, having been pleased to accede to the wish of the Legislative Council and House of Assembly, expressed in their Joint Address, in which they have done me the honor to recommend me to His Excellency as the person whose appointment to the office of a Commissioner for presenting to His Majesty the Joint Address and Report respecting the commercial relations of Upper and Lower Canada, would in their opinion be most conducive to the interests of this Province, I should not do justice to my feelings if I delayed any longer to express the high value I must ever place upon the expression of confidence of the two branches of the Legislature, which have received the further sanction of His Excellency the Lieutenant Governor, and to declare at the same time that I have too just a sense of the responsibility of the duties which the appointment must impose upon me to be in any manner desirous of engaging in them.

It would ill become me, however, as a servant of His Majesty, or an inhabitant of this Province, to hesitate from reasons of personal interest or convenience to decline any public duty, however arduous, which His Excellency the Lieutenant Governor may please to confide to me; and in the present instance I cannot but feel that the manner in which I am called upon diminishes the weight of responsibility which no consideration could induce me to solicit.

I trust it will be believed that on an occasion of this kind considerations of a personal nature would not have more weight with me than it is necessary to give them, but having no private interest or object to advance by discharging the duty committed to me, I owe it to myself to represent that however willing I may be to incur the inconvenience which must attend my immediate departure for Europe, my present circumstances do not admit of my making any considerable pecuniary sacrifice, and that I cannot meet the expenses which must attend the Commission, and sustain the loss which must arise from an immediate abandonment of my Public emoluments, and the total interruption of my professional pursuits for an indefinite time without an adequate provision.

I have the Honor to be, Sir, very respectfully, Your Most Obedient Humble Servant,

John B. Robinson.

Agreeably to the order of the day, the Hemp Cultivation Bill was read the second time.

Mr. Hagerman, seconded by Mr. Nichol, moves that the Hemp Cultivation Bill be now referred to a Committee of the Whole House, which was carried, and Mr. Burwell took the Chair of the Committee. The House resumed. Mr. Burwell reported the Bill as amended. Ordered that the Report be received. Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the Hemp Cultivation Bill be engrossed, and read a third time this day, and that the fifth Rule of the House be dispensed with for that purpose, which was ordered.

Agreeably to order, the Adjutant General's Bill was read the third time.

Mr. Nichol, seconded by Mr. Attorney General, moves that the Bill do now pass, and that it be intituled "An Act to repeal the laws now in force making provision for the office of Adjutant General of Militia of this Province, and to make more adequate provision for the said office."

In amendment, Dr. Baldwin, seconded by Mr. Willson of Prince Edward, moves that the Bill be recommitted for consideration, which was lost. On the original question the House divided, and the yeas and nays being called were taken as follows:

Yeas: Messrs. Robinson, Jones (Gren.), Atty. General, Nichol, Bostwick, Hagerman, McMartin, McLean (Front.), Shaver, Burwell, Gates, McDonell, Gordon, McLean (Stor.), Hamilton (Lin.), Ruttan.

Nays: Messr. Baldwin, Pattie, Willson (P. E.), Randal, White, Horner, Hamilton (Went.), Wilmot, Peterson, Casey, Clark, Baby, Willson (Went.), Chisholm.

The question was carried in the affirmative by a majority of two, and the Bill signed.

Mr. Hagerman, seconded by Mr. Bostwick, moves that Messrs. Nichol and Gates be a Committee to carry up to the Honorable the Legislative Council the Adjutant General's Bill, and request their concurrence thereto, which was ordered.

Agreeably to the order of the day, the House went into Committee of Supply, Mr. Ruttan in the Chair. The House resumed. Mr. Ruttan reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House. Ordered that the Report be received, and it was

Resolved, That it is expedient to amend an Act passed in the fifty-ninth year of His Majesty's Reign, intituled "An Act to repeal the several laws now in force relative to levying and collecting rates and assessments in this Province, and further to provide for the more equal and general assessment of land and other raiteable property throughout this Province," by providing that the Surveyor General of this Province shall be intituled to receive the sum of Twenty Shillings upon every original schedule of a Township furnished by the authority of that Act.

Agreeably to order, the Hemp Cultivation Bill was read the third time. Mr. Hagerman, seconded by Mr. Gates, moves that the Hemp Cultivation Bill do now pass, and that it be intituled "An Act granting to His Majesty a sum of money for the purpose of purchasing and erecting machinery within this Province to prepare Hemp for exportation," which was carried and the Bill signed.

Mr. Hagerman, seconded by Mr. Gates, moves that Messrs Nichol and Jones, of Grenville, be a Committee to carry up to the Honorable the Legislative Council the Hemp Cultivation Bill and to request their concurrence thereto, which was ordered.

Agreeably to the order of the day, the Forfeited Estate Amendment Bill was read the third time. Mr. Attorney General, seconded by Mr. Burwell, moves that the Bill do now pass, and that the title be "An Act to enable persons who have preferred claims to or out of certain Forfeited Estates in this Province, to withdraw the same," which was carried, and the Bill signed.

Mr. Attorney General, seconded by Mr. Burwell, moves that Messrs. Chisholm and Wilmot be a Committee to carry up to the Honorable the Legislative Council the Forfeited Estate Amendment Bill, and to request their concurrence thereto, which was ordered.

Mr. Attorney General, seconded by Mr. Chisholm, moves that Messrs. McLean of

Stormont, and Burwell be a Committee to prepare a Bill to amend an Act intituled "An Act to repeal the several laws now in force relative to levying and collecting Rates and Assessments in this Province, and further to provide for the more equal and general assessment of lands and other rateable property throughout this Province," in pursuance of the Resolution of the Committee of Supply, which was ordered.

Agreeably to notice, Mr. Willson of Wentworth, seconded by Mr. Hamilton of Wentworth, moves for leave to bring in a Bill more effectually to encourage the destruction of Wolves in this Province, which was granted, and the Bill read.

Mr. Willson of Wentworth, seconded by Mr. Nichol, moves that the fifth Rule of this House be dispensed with so far as to enable the Wolf Bill to be read a second time, which was lost.

Agreeably to order the House went into Committee on the Commissioners Appointment Bill, Mr. Randal in the Chair. The House resumed. Mr. Randal reported the Bill as amended. On the question for receiving the Report the House divided, and the yeas and nays being called were taken as follows:

Yeas: Messrs. Burwell, Hagerman, Jones (Gren.), McLean (Stor.), Bostwick, Pattie, Wilmot, Willson (Went.), Randal, White, Chisholm, Robinson Hamilton (Went.), Kerr, Baby, Horner, Ruttan, Walsh, Casey, Hamilton (Lin.), Shaver, McMartin, McDonell, Nichol, Gordon, McLean (Stor), Gates, Peterson, Clark.

Nays: Messrs. Willson (P. E.), Baldwin.

The question was decided in the affirmative by a majority of twenty-seven, and the Report received accordingly.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the Commissioners Appointment Bill be engrossed, and read a third time this day, and that the fifth Rule of this House be dispensed with for that purpose, which was carried.

Agreeably to order the Commissioners appointment Bill was read the third time.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the Bill do now pass, and that it be intituled "An Act granting to His Majesty a sum of money to provide for the appointment of a Commissioner for the purposes therein mentioned," which was carried and the Bill signed.

Mr. Hagerman, seconded by Mr. McLean of Stormont, moves that Messrs. Nichol and Jones, of Grenville, be a Committee to carry up to the Honorable the Legislative Council the Commissioners Appointment Bill, and to request their concurrence thereto, which was ordered.

Mr. McLean, from the Committee to whom was referred the Resolution of the Committee of Supply relating to the Lieutenant Governor's Message, with Memorial from the Surveyor General, reported a Bill, which was received and read the first time.

Mr. Attorney General, seconded by Mr. Burwell, moves that the Assessment Amendment Bill be read a second time this day, and that the fifth Rule of this House be dispensed with so far as respects the said Bill, which was carried, and the Bill was read the second time. Mr. Attorney General, seconded by Mr. Burwell, moves that the House do now resolve itself into a Committee upon the Assessment Amendment Bill, which was carried, and Mr. Baldwin took the Chair of the Committee. The House resumed. Dr. Baldwin reported the Bill as amended. Ordered that the Report be received. Mr. Attorney General, seconded by Mr. Burwell, moves that the Assessment Amendment Bill be engrossed, and read the third time to-morrow, which was ordered.

Mr. Nichol, from the Committee to draft a Bill of Supply, reported a Bill, which was received and read the first time.

Mr. Nichol, seconded by Mr. Bostwick, moves that the fifth Rule of the House be dispensed with in so far as relates to the Supply Bill, and that it be now read a second time, which was carried, and the Bill read a second time.

Mr. Nichol, seconded by Mr. Bostwick, moves that the House do now resolve itself into a Committee of the whole to take into consideration the Supply Bill, which was carried, and Mr. Nichol took the Chair of the Committee. The House resumed. Mr. Nichol reported the Bill without amendment. Ordered that the Report be received.

Mr. Hagerman, seconded by Mr. Nichol, moves that the Supply Bill be engrossed, and read a third time to-morrow, which was ordered.

Mr. Baldwin, seconded by Mr. Willson of Prince Edward, moves that it be resolved that the several accounts, both general and detailed, referred this season to the Select Committee, together with their Report thereon, be printed, as also the joint Report and Resolutions of both Houses on the commercial relations of this Province with Lower Canada, with as little delay as possible, for the use of Members during recess, and that the Clerk be directed to report to this House the expense attending such printing, in order that payment of the same may be provided for immediately, in such manner as this House may please to adopt, and that one hundred and fifty copies be printed, and two sets sent to each Member, which was carried.

Mr. Willson, of Prince Edward, seconded by Mr. Horner, moves that it be resolved that a sum of money be added to the Contingent Accounts for the purpose of remunerating Robert Nichol, Esq., for his industry in making researches and ascertaining the amount due to this Province from the Province of Lower Canada, arising from duties and drawbacks on goods imported into the Port of Quebec, according to agreements heretofore subsisting between the two Provinces, which was lost.

Mr. Attorney General, seconded by Mr. Jones, of Grenville, moves that he have leave to bring in a Bill to amend the Police Act of the Town of York, in pursuance of the recommendation of the Special Committee, and that the fifth Rule of this House be dispensed with as far as respects the said Bill, which was granted, and the Bill read.

Mr. Attorney General, seconded by Mr. Jones, of Grenville, moves that the Police Amendment Bill be read a second time to-morrow, which was ordered.

Mr. Nichol, seconded by Mr. Hagerman, moves that the Fifth Rule of the House be dispensed with in so far as to enable him to move that the Select Committee appointed to reconsider the Report on the Post Office be ordered to report on the fifth day of next Session, which was ordered.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 15th January, 1822.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Burwell, from the Committee to wait upon His Excellency, the Lieutenant Governor, with the Address of this House praying for certain papers relating to the Forfeited Estates, reported that they had delivered the same, and that His Excellency was pleased to make thereto the following reply:

Gentlemen of the House of Assembly: I shall direct that copies of the papers

prayed for in your Address shall be prepared in order to be laid before you at an early day in the next session of the Legislature.

Agreeably to the order of the day, the Assessment Amendment Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. McDonell, moves that the Bill do now pass, and that it be intituled "An Act to authorize the Surveyor General of this Province to receive the like sum for all original Schedules of new Townships furnished or to be furnished since the first day of July, 1820, as he is authorized to receive by law for such Schedules furnished before that period," which was carried and the Bill signed.

Mr. Jones of Grenville, seconded by Mr. McDonell, moves that Messrs. Robinson and Burwell be a Committee to carry up to the Honorable the Legislative Council the Surveyor General's Relief Bill and request their concurrence thereto, which was ordered.

Agreeably to the order of the day, the Supply Bill was read the third time. Mr. Hagerman, seconded by Mr. Bostwick, moves that the Bill do now pass, and that it be intituled "An Act granting to His Majesty a sum of money in aid of the funds for defraying the expenses of the Administration of Justice, and support of the Civil Government of this Province," which was carried, and the Bill signed.

Mr. Hagerman, seconded by Mr. Bostwick, moves that Messrs. Nichol and Jones of Grenville be a Committee to carry up to the Honorable the Legislative Council the Supply Bill and request their concurrence thereto, which was ordered.

Agreeably to the order of the day, the Police Amendment Bill was read the second time. Mr. Jones of Grenville, seconded by Mr. McDonell, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Police Bill, which was carried, and Mr. Kerr took the chair of the Committee. The House resumed. Mr. Kerr reported the Bill without amendment. Ordered that the Report be received.

Mr. Jones of Grenville, seconded by Mr. McDonell, moves that the Police Bill be engrossed, and read a third time this day, and that the Fifth Rule of this House be dispensed with so far as relates to the said Bill, which was ordered.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to authorize His Majesty's Justices of the Peace for the Midland District to obtain by loan a sum of money for the purpose of erecting a Gaol and Court House in the Town of Kingston," and the Bill intituled "An Act to authorize the appointment of a Commissioner for the purposes therein mentioned," which they had passed without amendment.

Agreeably to order, the Police Amendment Bill was read the third time. Mr. Jones of Grenville, seconded by Mr. McDonell, moves that the Police Bill do now pass, and that it be intituled "An Act requiring the publication of the expenditure of moneys raised under any law establishing a Police in any Town or Towns in this Province," which was carried, and the Bill signed.

Mr. Jones of Grenville, seconded by Mr. Hamilton of Lincoln, moves that Messrs. Ruttan and Hamilton of Wentworth be a Committee to carry up to the Honorable the Legislative Council the Police Amendment Bill, and request their concurrence thereto, which was ordered.

Mr. Hagerman, seconded by Mr. Nichol, moves that leave of absence be granted for the residue of the session to Mr. Jones of Grenville, which was granted.

Mr. Wilmot, seconded by Mr. McMartin, moves that Mr. Ruttan have leave of absence for the remainder of the session, which was granted.

Mr. Nichol, seconded by Mr. Hagerman, moves that the Report of the Select Committee of the last session for taking into consideration the state of the building erected for the accommodation of the Provincial Legislature be laid on the Table, which was ordered.

Mr. Nichol, seconded by Mr. Hagerman, moves that so much of the said Report as relates to additions and alterations of the buildings provided for the accommodation of the Commons House of Assembly of this Province be received, which was ordered.

Mr. Nichol, seconded by Mr. Hagerman, moves that it be resolved, That additional accommodation for the Select Committee of this House, also to the hall of the Commons House of Assembly, is indispensably necessary, and that the same ought to be procured previous to the next session of the Provincial Legislature.

Second, That the Serjeant at Arms be directed to carry into effect that part of the Report of the Select Committee which recommends the erection of an additional building, the furnishing the Hall of Sitting with benches and desks, and removing the log building at present used as a kitchen, which was carried.

Mr. Willson of Wentworth, seconded by Mr. Baldwin, moves that Mr. Jones of Leeds have leave of absence during the remainder of the present session, which was lost.

Mr. Hamilton, of Wentworth, seconded by Mr. Chisholm, moves that leave of absence be granted to Messrs. Peterson and White for the remainder of the session, which was granted.

Mr. Baldwin, seconded by Mr. Willson of Prince Edward, moves that Mr. Baby have leave of absence during the remainder of the session, which was granted.

Mr. Nichol, seconded by Mr. Hagerman, moves that it be resolved that an humble Address be presented to His Excellency, the Lieutenant Governor, requesting His Excellency to advance a sum of money not exceeding one hundred and fifty pounds, to enable the Serjeant at Arms to make certain additions and alterations to the apartments of the Commons House of Assembly, and that this House will make good the same at its next session, which was carried.

Mr. Nichol, seconded by Mr. Willson of Prince Edward, moves that Messrs. Hagerman and Robinson be a Committee to draft an Address to His Excellency, the Lieutenant Governor, pursuant to the Resolution of the House, which was ordered.

On motion of Mr. Nichol, seconded by Mr. Horner, leave of absence was granted to Mr. Willson, of Prince Edward, during the remainder of the session.

The House adjourned till seven o'clock.

At seven o'clock the House met pursuant to adjournment.

Present: Messrs. Pattie, Walsh, Horner, Bostwick, Randal, Burwell, Willson of Wentworth and Peterson.

The House then adjourned for want of a quorum.

Wednesday, 16th January, 1822.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Willson of Wentworth, seconded by Mr. Walsh, moves that it be resolved that the Speaker of this House do give a certificate in favor of Mr. Jones of Leeds, to enable him to receive his wages for the time he may have attended in this House during the present Session. Which was lost.

Mr. Boulton, Master in Chancery, brought down from the Honorable the

Legislative Council the Bill intituled "An Act to enable persons who have preferred claims to or out of certain forfeited Estates in this Province to withdraw the same," the Bill intituled "An Act granting to His Majesty a sum of money for the purchasing and erecting machinery within this Province to prepare Hemp for Exportation"; the Bill intituled "An Act to authorize the Surveyor General of this Province to receive the like sum for all Original Schedules of new Townships furnished or to be furnished since the first day of July, 1820, as he is authorized by law to receive for such Schedules furnished before that period"; the Bill intituled "An Act to repeal the laws now in force making provision for the office of Adjutant General of Militia for this Province, and to make more adequate provision for the said office," and the Bill intituled "An Act granting to His Majesty a sum of money to provide for the appointment of a Commissioner for the purposes therein mentioned," all of which they had passed without amendment.

Mr. Hagerman, from the Committee to draft an Address to His Excellency the Lieutenant Governor, requesting an advance of a sum of money to enable the Serjeant at Arms to make certain additions and alterations to the apartments of the Commons House of Assembly, reported a draft, which was received and read the first time.

Mr. Hagerman, seconded by Mr. Nichol, moves that the Address to His Excellency the Lieutenant Governor be now read a second time, and that the Fifth Rule of the House be dispensed with for that purpose. Which was carried, and the Address read the second time.

On motion of Mr. Hagerman, seconded by Mr. Nichol, the House resolved itself into a Committee on the Address to His Excellency the Lieutenant Governor, Mr. Clark in the Chair. The House resumed. Mr. Clark reported the Address amended. Ordered, that the Report be received. On motion of Mr. Hagerman, seconded by Mr. Nichol, Ordered, that the Address to His Excellency the Lieutenant Governor be engrossed, and read a third time this day.

Mr. Gordon, from the Committee to whom was referred the Contingent Accounts of the present Session, presented a Report, which was received and read as follows:

Your Committee, to whom was referred the Contingent Accounts of the present Session, have carefully examined the same and beg leave to report:—

That there appears to be due to

John Powell, Esq., Clerk of the Honorable the Legislative Council	£165	19	9
To Wm. Lee, Esq., Gentleman Usher of the Black Rod	123	15	9
To Grant Powell, Esq., Clerk of the House, to enable him to pay the contingencies of his office for the present session	705	15	5¼
To enable him to carry into effect the orders of this House	522	10	0
To Allan McNabb, Esq., Serjeant at Arms, for contingencies of the House during the present Session.	137	11	8

All of which is respectfully submitted.

Committee Room,
16th January, 1822.

James Gordon, *Chairman.*

On motion of Mr. Gordon, seconded by Mr. McDonell, the House went into Committee of the Whole on the Report of the Select Committee on the Contingent Accounts, Mr. Wilmot in the Chair.

The House resumed. Mr. Wilmot reported progress, and obtained leave to sit again this day.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act for the relief of Peter Miller," which they passed without amendment; also a message; and having withdrawn, the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council request a conference with the Commons House of Assembly on the subject matter of the last clause of the Bill sent up from this House, intituled "An Act granting to His Majesty a sum of money in aid of the funds for defraying the expenses of the Administration of Justice and Support of Civil Government of this Province."

The Legislative Council have appointed a Committee of three of its Members, who are now ready to meet a Committee of the Commons House of Assembly in the Joint Committee Room.

Legislative Council Chamber, WM. DUMMER POWELL, Speaker.
16th January, 1822.

Agreeably to order the Address to His Excellency the Lieutenant Governor for an advance to enable the Serjeant at Arms to comply with a Resolution of this House was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly pray that Your Excellency will be graciously pleased to issue Your Warrant on the Receiver General of this Province in favour of the Serjeant at Arms for the sum of Two Hundred Pounds, to enable him to make certain additions and alterations to the apartments of the Commons House of Assembly, which sum His Majesty's faithful Commons assure Your Excellency they will make good at their next Session.

Mr. Attorney General, seconded by Mr. Hagerman, moves that Messrs. McDonell, Nichol, Jones of Grenville, Ruttan, McLean of Frontenac and McMartin be a Committee to confer with the Committee of the Honorable the Legislative Council respecting the Bill intituled "An Act granting to His Majesty a sum of money in aid of the funds for defraying the expenses of the Administration of Justice and the Support of the Civil Government of this Province." Which was ordered.

Mr. Hagerman, seconded by Mr. Nichol, moves that Messrs. McLean of Stormont and Ruttan be a Committee to wait on His Excellency the Lieutenant Governor to know when His Excellency will receive the Address of this House, and to present the same. Which was ordered.

Mr. Nichol, from the Committee to confer with the Conferees of the Honorable the Legislative Council, informed the House as follows:

The Committee on the part of the Honorable the Legislative Council stated to Your Committee that some elucidation was required by their House of the

reason for altering the last clause in the Bill intituled "An Act granting to His Majesty a sum of money in aid of the funds for defraying the expenses of the Administration of Justice and Support of the Civil Government of this Province," the expression particularly alluded to being that calling for an account in detail of all moneys paid for the services specified in this Act, which differs from that in former appropriations for the same services. Your Committee acquainted the Conferees on the part of the Honorable the Legislative Council that they would report their communication to this House.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Fifth Rule of this House be dispensed with to enable him to bring in this day a Bill to grant a sum of money to His Majesty to enable him to defray the Civil Service of the Province. On which the House divided, and the yeas and nays being called, were taken as follows:

Yeas: Messrs. Hagerman, Attorney General, Nichol, McDonell, Wilmot, McLean (Stormont), Gates, Burwell, Bostwick, Robinson, Ruttan, Jones (Grenville), Chisholm, McLean (Frontenac), Hamilton (Lincoln).

Nays: Messrs. Baldwin, Clarke, Horner, Willson (Wentworth), Randal, Pattie, Peterson, White, Willson (Prince Edward), Hamilton (Wentworth).

The question was carried in the affirmative by a majority of five, and the Bill was read the first time.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Supply Bill be read a second time this day, and that the Fifth Rule of the House be dispensed with as respects the said Bill. Which was carried, and the Bill was read the second time.

Mr. Attorney General, seconded by Mr. McDonell, moves that the House do now resolve itself into a Committee upon the Supply Bill. Which was carried, and Mr. Horner took the Chair. The House resumed. Mr. Horner reported the Bill without amendment. On the question for receiving the Report the House divided, and the yeas and nays being called were taken as follows:

Yeas: Messrs. Hagerman, McLean (Stormont), Attorney General, Nichol, McDonell, Burwell, Bostwick, Wilmot, Chisholm, Robinson, McLean (Frontenac), Gates, Ruttan, Hamilton (Lincoln).

Nays: Messrs. Baldwin, Willson (Wentworth), Clarke, Horner, Randal, Pattie, Willson (Prince Edward), White, Hamilton (Wentworth), Kerr.

The question was carried in the affirmative by a majority of three, and the Report was received accordingly.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Supply Bill be engrossed, and read a third time this day. Which was ordered.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to repeal part of and to amend the laws now in force for the Raising and Training the Militia of this Province," which they had passed with an amendment, and which they recommended to the adoption of this House; also the Bill intituled "An Act requiring the publication of the expenditure of moneys disbursed under any law establishing a Police in every Town or Towns in this Province," which they had passed without amendment; and having withdrawn, the amendment to the Militia Law Amendment Bill was read the first time as follows:

Press. 10, line 11. After "as" insert "heretofore provided for in cases of."

Mr. Jones of Grenville, seconded by Mr. Attorney General, moves that the amendment made by the Honorable the Legislative Council to the Militia Law

Amendment Bill be read a second time this day, and that the Fifth Rule of this House be dispensed with so far as relates to the said amendment. Which was carried and the amendment read the second time. On the question for concurrence being put the House divided, and the yeas and nays being called, were taken as follows:

Yeas: Messrs. Nichol, Hagerman, Attorney General, Jones (Grenville), Robinson, McLean (Stormont), McLean (Frontenac), Gordon, McDonell, Gates, Bostwick, Burwell, Ruttan, McMartin, Kerr.

Nays: Messrs. Horner, Walsh, Willson (Wentworth), Randal, Pattie, Hamilton (Wentworth), Clarke, White, Willson (Prince Edward), Peterson, Chisholm, Wilmot.

The question was carried in the affirmative by a majority of three.

Mr. Jones of Grenville, seconded by Mr. Attorney General, moves that Messrs. McLean of Stormont and Ruttan be a Committee to inform the Honorable the Legislative Council that this House has concurred in the amendment made by that Honorable House to the Militia Law Amendment Bill. Which was ordered.

Agreeably to order, the Supply Bill was read the third time.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Supply Bill do now pass, and that it be intituled "An Act to grant to His Majesty a certain sum of money for the purposes therein mentioned." On which the House divided, and the yeas and nays being called, were taken as follows:

Yeas: Messrs. Hagerman, Attorney General, Jones (Grenville), Robinson, Willson (Prince Edward), Walsh, Gordon, McLean (Stormont), McLean (Frontenac), McDonell, Bostwick, Burwell, Gates, Hamilton (Wentworth), Chisholm, Wilmot, Ruttan, McMartin, Nichol.

Nays: Messrs. Horner, Clark, Randal, Pattie, Hamilton (Wentworth), White, Willson (Wentworth), Peterson, Kerr.

The question was carried in the affirmative by a majority of ten, and the Bill signed.

Mr. Attorney General, seconded by Mr. McDonell, moves that Messrs. McLean of Stormont and Ruttan be a Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to grant to His Majesty a certain sum of money for the purposes therein mentioned," and to request their concurrence thereto. Which was ordered.

The House went again into Committee on the Report of the Select Committee to whom was referred the Contingent Accounts of the present Session, Mr. Wilmot in the Chair.

The House resumed. Mr. Wilmot reported that the Committee had agreed to certain resolutions, which he was directed to submit for the adoption of the House. Ordered that the Report be received, and it was Resolved:

1st. That it is the opinion of this House that an humble Address be presented to His Excellency the Lieutenant Governor, praying him to issue his Warrant in favor of John Powell, Esq., Clerk of the Legislative Council, to enable him to defray certain Contingent expenses of his office, and to provide Stationery for next Session of Parliament. £165 19 9

2nd. In favor of Mr. William Lee, Gentleman Usher of the Black Rod, to enable him to discharge certain Contingent expenses of the Legislative Council	£123	15	9
3rd. In favor of Grant Powell, Esq., Clerk of Assembly, to enable him to defray the contingencies of his office, and	705	15	5¼
To enable him to carry into effect the orders of this House	522	10	0
4th. In favor of the Serjeant at Arms, to enable him to defray certain contingent expenses of this House during the present Session.....	149	11	8
5th. Resolved, That it is expedient a further sum of Forty Pounds be advanced to Grant Powell, Esq., to enable him to pay so much to the undermentioned persons:			
To Thomas Ward, Esq.	20	0	0
" Marcus Whitehead	10	0	0
" Richard Lovekins	10	0	0

the said sums being to compensate them for their attendance to give evidence on the trial of the Durham Election, in conformity to the orders of this House.

Resolved that there be included in the amount of the Contingent Accounts of the Gentleman Usher of the Black Rod the additional sum of Twenty Pounds, and also that there be included in the amount of the Contingent Account of the Serjeant at Arms the additional sum of Twenty Pounds, to enable him to pay the Door Keepers of this House, the same sum each for extra services, there having been two Sessions within the last twelve months.

Mr. Gordon, seconded by Mr. McLean of Frontenac, moves that Messrs. McLean of Stormont, and Kerr, be a Committee to draft an Address to His Excellency the Lieutenant Governor, in pursuance of the Resolution of this House. Which was ordered.

Mr. Ruttan, seconded by Mr. Walsh, moves that the fifth Rule of the House be dispensed with, to enable him to move that it be resolved that in future such of the Contingent Accounts of the Legislative Council and House of Assembly as shall have been audited and allowed, be entered in detail under their proper heads in a book to be kept for that purpose, and numbered so as to correspond with their respective vouchers, to which, before they are submitted to a Committee, there shall, when it shall be practicable, be annexed an affidavit that they are just and true, and that the charges are no higher than are usually made. Which was ordered.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that the fifth Rule be dispensed with, to enable him to move that a Select Committee of three Members be appointed to superintend the alterations and additions to the buildings occupied by the Commons House of Assembly, that Mr. McDonell, Mr. Robinson and Dr. Baldwin do constitute the said Committee, and that the Serjeant at Arms do conform to such directions as may from time to time be given him by the said Committee, and that no contract be entered into by him for executing any part of the contemplated alterations or additions till the proposal shall have been approved by the said Committee. Which was ordered.

Mr. Nichol gives notice that he will, on the sixth day of the next Session, move that it be resolved that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct the proper officer to lay before this House an account in detail of all services defrayed from the fund established by the 14th Geo. III, Chap. 88, for defraying the expenses of the Administration of Justice and Support of the Civil Government from the 1st January, 1817, distinguishing the sums paid in each year, in so far as the same can be made up.

Mr. McLean of Stormont, from the Committee to draft an Address to His Excellency the Lieutenant Governor pursuant to certain resolutions of the House, relative to the Contingent Accounts, reported a draft, which was received and read the first time.

Mr. Gordon, seconded by Mr. Willson of Wentworth, moves that the Address to His Excellency the Lieutenant Governor be read a second time this day, and that the fifth Rule of the House be dispensed with as far as relates to the said Address. Which was carried, and the Address was read the second time.

Mr. Gordon, seconded by Mr. Burwell, moves that the House do now resolve itself into Committee of the Whole on the Address to His Excellency the Lieutenant Governor. Which was carried, and Mr. Burwell took the Chair of the Committee.

The House resumed. Mr. Burwell reported the Address without amendment. Ordered that the Report be received.

Mr. Gordon, seconded by Mr. Burwell, moves that the Address to His Excellency the Lieutenant Governor be engrossed, and read a third time this day. Which was ordered.

Mr. Willson of Wentworth, from the Committee to whom was referred the Petition of David Tuttle, reported as follows: The Committee appointed by Your Honorable House to take into consideration the Petition of David Tuttle, beg leave to represent that owing to the advanced period of the Session when the same was referred to Your Committee, and their necessary attention to other matters, has prevented them from entering into an investigation of the merits of the claims of the Petitioner as fully as in the opinion of Your Committee the subject requires.

Your Committee therefore desire to be permitted to investigate more fully the claim of the said Petition and report thereon at an early period of the next Session.

Committee Room, JOHN WILLSON, Chairman.
16th January, 1822.

Mr. Hamilton of Wentworth, seconded by Mr. Gates, moves that the Committee on the Petition of David Tuttle be directed to report at an early period of next Session. Which was ordered.

The Address to His Excellency the Lieutenant Governor relative to the Contingent Accounts was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada and Major General commanding His Majesty's forces therein, etc.

May it please Your Excellency: We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg

leave to request that Your Excellency will be pleased to issue your Warrant to the Receiver General of this Province in favor of John Powell, Esq., Clerk of the Honorable the Legislative Council, for the sum of One Hundred and Sixty-five Pounds, Nineteen Shillings and Ninepence, for certain Contingent Expenses thereof during the present Session.

Also in favor of William Lee, Esq., Gentleman Usher of the Black Rod, for certain Contingent Expenses of the Honorable the Legislative Council during the present Session for the sum of One Hundred and Forty-three Pounds, Fifteen Shillings and Ninepence.

Also in favor of Grant Powell, Esq., Clerk of the House of Assembly, to enable him to pay the contingencies of his office for the present Session, and also to enable him to carry into effect the orders of this House, One Thousand, Two Hundred and Sixty-eight Pounds, Five Shillings and Fivepence Farthing.

Also in favor of Allan McNabb, Esq., Serjeant at Arms, to enable him to discharge sundry contingent expenses for the present Session, the sum of One Hundred and Sixty-nine Pounds, Eleven Shillings and Eightpence; which sums His Majesty's faithful Commons will make good during the next Session of the Provincial Legislature.

Mr. Gordon, seconded by Mr. Burwell, moves that Messrs. McLean of Stormont and McMartin be a Committee to wait upon His Excellency the Lieutenant Governor, to know when he will be pleased to receive the Address of this House, praying His Excellency to issue his Warrant on the Receiver General for certain sums of money therein mentioned, and to present the same. Which was carried.

The House then adjourned till ten o'clock to-morrow.

Thursday, 17th January, 1822.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. McLean, of Stormont, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address relative to the Contingent Accounts of the present Session, etc., reported the delivery of the same, and that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly: I shall give directions that the necessary warrants be prepared, in compliance with the prayer of your Address.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to grant to His Majesty a certain sum of money for the purposes therein mentioned," which they had passed without amendment and withdrew.

Mr. Nichol, seconded by Mr. Chisholm, moves that it be resolved that a publication in a newspaper entitled *The Kingston Chronicle,* of the 11th Inst., relative to the proceeding of this House on the Petition of sundry Inhabitants of the Incorporated Counties of Lennox and Addington, is a false, scandalous and malicious libel, and a breach of the privileges of this House. On which the House divided, and the yeas and nays were taken as follows:

Yeas: Messrs. McLean (Stor.), Nichol, Robinson, Chisholm, Kerr, Bostwick, Walsh, Clark, Randal, Horner, Wilmot, Pattie, Hamilton (Went.), Willson (Went.), Burwell, Ruttan, Peterson, Hamilton (Lin.), McMartin, Gates, McLean (Front.), McDonell, Atty. General.

Nay: Mr. Hagerman.

The question was carried in the affirmative by a majority of twenty-two, and

resolved accordingly. The House then adjourned till two o'clock. At two o'clock the House met pursuant to adjournment.

Mr. Willson, of Wentworth, seconded by Mr. Nichol, moves that the fifth Rule of this House be dispensed with to enable him to move that it be resolved that the Speaker do direct the Clerk of this House to prosecute George Strange Boulton, Esq., for the recovery of the penalty of the bond given by him to the Clerk for the payment of the costs that might be awarded by this House in case the said George Strange Boulton should fail in supporting the Petition of the Freeholders of the County of Durham, complaining of an undue Election and Return of a Member from the said County to serve in the present Parliament, the Petitioners having failed to support the charges preferred in their Petition.

The previous question was put and carried.

Dr. Baldwin, seconded by Mr. Willson, moves that the Petition of Jacob Smith be referred to a Select Committee to report thereon, that Messrs. Robinson, Willson of Wentworth, and Crooks do form such Committee, and that they have leave to report the sixth day of next Session. Which was ordered.

At half-past two o'clock, Mr. Lee, Gentleman Usher of the Black Rod, came to the Bar and delivered the command of His Excellency the Lieutenant Governor for the immediate attendance of this House at the Bar of the Honorable the Legislative Council Chamber, and having withdrawn:

Mr. Speaker and the House forthwith proceeded to the Bar of the Honorable the Legislative Council, where His Excellency the Lieutenant Governor was pleased to give the assent in His Majesty's name to the following Bills, viz.:

An Act to repeal part of and amend an Act passed in the thirty-seventh year of His late Majesty's Reign, intituled "An Act for the better regulating the practice of the law," and to extend the provisions of the same.

An Act to repeal an Act passed in the fifty-sixth year of His late Majesty's Reign, intituled "An Act for granting to His Majesty a sum of money, and to provide for the appointment of a Provincial Agent for this Province."

An Act to establish a market in the Town of Perth in the County of Carleton.

An Act to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor in pursuance of an Address of the House of Assembly.

An Act for assigning limits to the respective Gaols within this Province.

An Act to remunerate the Commissioners appointed to treat on behalf of this Province with the Commissioners of Lower Canada on the subject of our commercial relations with that Province.

An Act to repeal part of and amend the laws now in force regulating the practice of His Majesty's Court of King's Bench.

An Act to repeal in part a certain part of an Act passed in the forty-third year of His late Majesty's Reign, intituled "An Act to extend the provisions of an Act passed in the thirty-fourth year of His Majesty's Reign, intituled an Act to restrain the custom of permitting horned cattle, sheep and swine to run at large, and further to enable the Magistrates in their respective Districts in the Province, in General Quarter Sessions assembled, to make such Rules and Regulations as may restrain Swine running at large in the respective Towns in this Province where a Police is or may hereafter be established by law."

An Act to extend the powers of the District Courts in this Province.

An Act to appoint Trustees to the Will of William Weekes, late of York, Esq., deceased, to carry into effect the provisions thereof.

An Act to establish the division line between the second and third concessions of the Township of Osnabruck in the Eastern District.

An Act for the Relief of John White.

An Act for the Relief of John Crysler, Esq.

An Act to amend an Act passed in the fifty-ninth year of His late Majesty's Reign, and promulgated by proclamation bearing date the 21st day of April in the year of Our Lord one thousand eight hundred and twenty-one, intituled "An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Bank of Upper Canada."

An Act to make further regulation respecting the weekly maintenance of Insolvent Debtors.

An Act to continue an Act passed in the forty-sixth year of His late Majesty's Reign, intituled "An Act to make provision for certain Sheriffs in this Province, and a certain other Act of the Parliament of this Province passed in the fifty-seventh year of His late Majesty's Reign, intituled An Act further to continue an Act passed in the forty-sixth year of His Majesty's Reign, intituled An Act to make provision for certain Sheriffs in this Province, and also to extend the provisions of the said Act, and to protect the interests of suitors in certain cases."

An Act to render ineligible to a seat in the Commons House of Assembly of this Province certain descriptions of persons therein mentioned.

An Act for the relief of Peter Miller.

An Act to authorize His Majesty's Justices of the Peace for the Midland District to obtain by loan a sum of money for the purpose of erecting a Gaol and Court House in the Town of Kingston.

An Act to authorize the appointment of a Commissioner for the purposes therein mentioned.

An Act to repeal part of and amend the laws now in force for the raising and training of the Militia of this Province.

An Act granting to His Majesty a sum of money for the purpose of purchasing and erecting machinery within this Province to prepare Hemp for exportation.

An Act to enable persons who have preferred claims to or out of certain Forfeited Estates in this Province to withdraw the same.

An Act granting to His Majesty a sum of money to provide for the appointment of a Commissioner for the purposes therein mentioned.

An Act to authorize the Surveyor General of this Province to receive the like sum for all original schedules of new Townships furnished or to be furnished since the first day of July, 1820, as he is authorized to receive by law for such schedules furnished before that period.

An Act requiring the publication of the expenditure of moneys raised under any law establishing a Police in any Town or Towns in this Province.

An Act to grant to His Majesty a certain sum of money for the purposes therein mentioned.

And was pleased to reserve the Bills intituled:

"An Act to repeal the laws now in force granting Poundage to the Receiver General of this Province, and to provide a salary for that Officer in lieu of such Poundage," and the Bill intituled "An Act to repeal the laws now in force making provision for the Office of Adjutant General of Militia of this Province, and to make more adequate provision for the said Office," for the signification of His Majesty's pleasure thereon.

His Excellency was then pleased to address the two Houses with the following most gracious Speech.

Honorable Gentlemen of the Legislative Council, and Gentlemen of the House of Assembly: I cannot release you from your present attendance in

Parliament without expressing my regret that the urgency of the public business has compelled me, notwithstanding your exertions, to continue this Session to a period of the year not usually occupied by the sitting of the Legislature.

The manifold mischiefs which threatened the Province in consequence of the suspension of receipt which by the failure of an arrangement with the Sister Colony had been occasioned in the most important branch of our Revenue, induced me at the opening of the Session to recommend this matter in an especial manner to your consideration, and I could not fail to observe with satisfaction that in your several proceedings which have been directed to the removal of this important evil you have manifested as well your regard to temper and moderation as to the expectations and proper interests of the country.

Gentlemen of the House of Assembly: I thank you in the name of His Majesty for the vote of Supply which you have passed in aid of the funds for the support of the Civil Government.

The diligent and accurate investigation which you have doubtless applied to all matters connected with the public disbursements for that series of years of which, in compliance with your Address, I caused the detailed accounts to be prepared and laid before you, must, I trust, have made you fully sensible that although a proportion of the addition in the duties of the Executive has necessarily kept pace with the extensive increase of population and organized territory that has so rapidly taken place, within the period to which you have referred,

Yet the Annual demand upon the Revenue, except in some few and trivial instances, the necessity for which was manifest, has experienced no augmentation, while it has upon the whole been very considerably diminished. It is my anxious wish to keep the Public expenditure within the most reasonable bounds, but I am sure you cannot but agree with me that to withdraw from the ordinary departments of the Public Service the means necessary to render them effective, or to deprive the servants of His Majesty of their fair and long established remuneration, would be an economy neither profitable nor just.

Honorable Gentlemen and Gentlemen: The enactment you have made for securing the Province from foreign influence, by disqualifying certain descriptions of persons from holding a seat in the House of Assembly, for improving the system and regulating the practice of the Courts of Justice, and for rendering the Militia effective, are all measures important in their nature, and I have no doubt that experience will justify the expectations with which you framed them. That friendly intercourse between the two Houses of Parliament, by means of which the united result of some of your most useful labours has been preserved to benefit your country, must have convinced you in the most satisfactory manner how necessary is the prevalence of that spirit of harmony and good understanding which has governed your proceedings to do full justice to the Public Service.

On my part I shall always continue to be animated by a sincere desire to cultivate by all open and constitutional means a perfect confidence between me and the other branches of the Legislature, not only as a matter congenial with my own disposition, but as necessary for promoting to the utmost extent the true interest of the people, the most prominent of the duties prescribed to me by the gracious injunctions of my Sovereign.

After which the Honorable the Speaker of the Legislative Council declared that it was His Excellency's pleasure that this Parliament be prorogued to the eighth day of March next, and declared the Parliament prorogued to the said eighth day of March, to be then and here holden.
York, 17th January, 1822.

Grant Powell, Clk. Assembly, U. C.

Certified to be true Copies from the records in the Colonial Office. Geo. Mayer, Librarian and Keeper of the Records.

Colonial Office, Downing Street,
11th June, 1857.

JOURNAL

OF THE

HOUSE OF ASSEMBLY

OF

UPPER CANADA

From January 15th to the 19th of March,

1823.

Being the third session of the Eighth Provincial Parliament

And the third year of the Reign of

KING GEORGE THE FOURTH.

JOURNAL

OF THE

HOUSE OF ASSEMBLY

OF

UPPER CANADA

1823.

UPPER CANADA.

PROCLAMATION

P. MAITLAND, Lieutenant Governor.

George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To our Beloved and Faithful Legislative Council of Our Province of Upper Canada, and to Our Knights, Citizens and Burgesses of Our said Province, to Our Provincial Parliament, at Our Town of York, on the Eighth day of March instant, to be commenced, held, called and elected, and to every of you, greeting.

Whereas, on the seventeenth day of January last we thought fit to prorogue Our Provincial Parliament to the eighth day of March, inst, at which time, at Our Town of York, you were held and constrained to appear;

Now know ye, that we, taking into Our Royal consideration the ease and convenience of Our loving Subjects, have thought fit, by and with the advice of Our Executive Council, to relieve you and each of you of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of you, that on Monday, the Fifteenth day of April next ensuing, you meet us in our Provincial Parliament in Our Town of York, there to take into consideration the state and welfare of our Province of Upper Canada, and therein to do as may seem necessary, and herein fail not.

In testimony whereof we have caused these Our Letters to be made Patent, and the Great Seal of Our said Province to be hereunto affixed.

Witness Our Trusty and Well beloved Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of Our said Province, and Major General Commanding Our Forces therein, at York this Sixth day of March, in the Year of Our Lord One Thousand Eight Hundred and Twenty-two, and in the Third Year of Our Reign.

P. M.

By His Excellency's Command.

D. CAMERON, Secretary.
H. B. BOULTON, Solicitor General.

By a further proclamation of His Excellency, Sir Peregrine Maitland, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the twelfth day of April One Thousand Eight Hundred and Twenty-two, the Meeting of the Legislative Council and House of Assembly stands further prorogued to the twenty-third day of May next ensuing.

By a further proclamation of Sir Peregrine Maitland, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Twenty-first day of May, One Thousand Eight Hundred and Twenty-two, the Meeting of the Legislative Council and House of Assembly stands further prorogued to the First day of July next ensuing.

By a further proclamation of Sir Peregrine Maitland, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Twenty-sixth day of June, One Thousand Eight Hundred and Twenty-two, the Meeting of the Legislative Council and House of Assembly stands further prorogued to the Seventh day of August next ensuing.

By a further proclamation of Sir Peregrine Maitland, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the First day of August One Thousand Eight Hundred and Twenty-two, the Meeting of the Legislative Council and House of Assembly stands further prorogued to the Thirteenth day of September next ensuing.

By a further proclamation of Sir Peregrine Maitland, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Eleventh day of September, One Thousand Eight Hundred and Twenty-two, the Meeting of the Legislative Council and House of Assembly stands further prorogued to the Eighth day of October next ensuing.

By a further proclamation of Sir Peregrine Maitland, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Twelfth day of October, One Thousand Eight Hundred and Twenty-two, the Meeting of the Legislative Council and House of Assembly stands further prorogued to the Twenty-seventh day of November next ensuing.

By a further proclamation of Sir Peregrine Maitland, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Twentieth day of November, One Thousand Eight Hundred and Twenty-two, the Meeting of the Legislative Council and House of Assembly stands further prorogued to the Twenty-fourth day of December next ensuing.

UPPER CANADA.

PROCLAMATION

P. MAITLAND, Lieutenant Governor.

George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To Our Beloved and Faithful Legislative Councillors, of Our Province of Upper Canada, and to Our Knights, Citizens and Burgesses of Our said Province, to Our Provincial Parliament at Our Town of York, on Tuesday, the Twenty-fourth day of December instant to be commenced, held, called and elected, and to every of you, Greeting.

Whereas, by Our Proclamation bearing date the Twentieth day of November last, we thought proper to prorogue Our Provincial Parliament to the Twenty-fourth day of December instant, at which time, at our Town of York you were held and constrained to appear.

Now Know Ye that We, taking into Our Royal consideration the ease and convenience of Our Loving Subjects, have thought fit, by and with the advice of Our Executive Council to relieve you and each of you of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of

you that on Wednesday, the Fifteenth day of January next, you meet us in Our Provincial Parliament in Our Town of York, for the actual dispatch of Public Business, there to take into consideration the state and welfare of Our Province of Upper Canada, and therein to do as may seem necessary, and herein fail not.

In testimony whereof we have caused these Our Letters to be made patent, and the Great Seal of Our said Province to be hereunto affixed.

Witness Our Trusty and Well Beloved Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath; Lieutenant Governor of Our said Province, and Major General Commanding Our Forces therein, at York this Sixth day of December, in the Year of Our Lord One Thousand Eight Hundred and Twenty-two, and in the Third Year of Our Reign.

P. M.

By His Excellency's Command,

D. CAMERON, Secretary.
H. J. BOULTON, Solicitor General.

Wednesday, 15th January, 1823.

The House met. Prayers were read.

At Two o'clock the Gentleman Usher of the Black Rod, Mr. Leo, brought down the Commands of His Excellency the Lieutenant Governor for the immediate attendance of the Speaker and the House at the Bar of the Legislative Council Chamber.

Mr. Speaker and the Members present then went up to the Legislative Council Chamber, and being returned, Mr. Speaker reported that His Excellency had been pleased to open the Session with a Speech to both Houses, of which, to prevent mistakes, he had obtained a copy.

Ordered that the Speech be read, and it was read as follows:

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly: In determining to assemble you at the latest period admitted of by the Constitution, I was influenced by the consideration of what seemed expedient for the Public Business, and I hope by this arrangement to be enabled to lay before you the decision of the Arbitrators on the respective claims of the two Provinces in the course of the Session.

Your Address to Your Sovereign, in consequence of the interruption which the Public Revenue had suffered, and which in an early part of the recess I transmitted to His Majesty's Government by the Commissioner appointed for that purpose, has been received with that attention which His Majesty always bestows on the reasonable and temperate language of his people.

Impressed with the extent of the evils which you represented, His Majesty not only sought the means of remedying them, but felt the necessity of preventing their recurrence. With this view such comprehensive measures were suggested to the Parliament of the United Kingdom, as were considered best calculated to remove all ground for future jealousy and misunderstanding between the Sister Colonies, and most conducive to their good government and prosperity in their present circumstances and situation. For this purpose a Bill was under discussion, in which it was thought proper to impart to you, by means of an union of the two Legislatures, a just share in all colonial deliberations on matters affecting the interests of both countries.

This important part of the projected Bill it has been judged expedient to reserve for reconsideration in a future session. But that we might not remain

without the benefit of a speedy remedy for embarrassments which were pressing and increasing, the express objects of Your Address were considerably extricated from this delay, to be made the subject of a special enactment, in which you will find satisfactory provision for assuring to you that protection and security which you solicited.

The Commissioner appointed by me on this occasion, in compliance with your joint recommendation, has acquitted himself entirely to my satisfaction.

A favorable reply to your address in behalf of the Sufferers by the late War will be submitted to you, and the gracious scheme which has been proposed for your co-operation will doubtless engage your early attention.

Gentlemen of the House of Assembly, I have directed the proper Officers to lay the usual accounts before you, and I trust you will make the necessary provision in aid of the Revenue collected under British Statutes to enable me to meet the exigencies of the Public Service, and for the honorable support of His Majesty's Government.

In obedience to the recent enactments of the Imperial Parliament, one fifth of the collection at the Port of Quebec since the expiration of the last Provisional Agreement, has been received. Warrants have been issued for re-payment of the advances which I had procured in order to carry on the Public Service, and the remaining sum has been carried to the proper accounts, to be applied to the different objects of expenditure authorized by law.

By the accounts of the last three years which have been transmitted from Quebec, there appears to have been a material defalcation in the amount of the collection at that Port. Our means, however, have been more than adequate to the different appropriations, but not for the redemption of our debentures.

By the transfer to the Provincial Bank of that proportion of the debt which became payable in the course of the last year, a saving of one-half of the interest will be effected, and I am happy to notice the benefits which the country has thus derived from that Institution.

Honorable Gentlemen and Gentlemen, the Laws which will expire at the conclusion of this Session of the Legislature, will not fail to engage your attention.

In considering the expediency of removing the legal provisions affecting Distillers, you will, I hope, regard the occasion as favorable for endeavoring to check the immoderate and pernicious use of Spirituous Liquor, for which purpose perhaps some advantage might be derived from an increase on the existing duties. In a country where temptation against the habit of sobriety is comparatively great, it will not appear invidious that I should have thought proper to recommend to your attention an object which has frequently occupied the Legislature of the Parent Country, and the Councils of other long established and venerable States, and employed their interference; and I am sure you will not be disposed to forget that you then give the strongest proof of your regard for the public welfare, when you solicit the sanction of Your Sovereign to laws judiciously calculated to preserve the health and amend the morals of the people.

Mr. Nichol, seconded by Mr. Norris, moves that he have leave to bring up the Petition of John P. Clement, of the Township of Niagara, Gentleman, which was granted, and the Petition brought up.

Mr Nichol, seconded by Mr. Morris, moves that it be resolved that the Speech of His Excellency the Lieutenant Governor to both Houses of Parliament at the opening of the present session be taken into consideration to-morrow, which was carried and ordered.

Mr. Nichol gives notice that he will on Friday next move for leave to bring in a Bill for repealing an Act passed in the Forty-Fourth year of His late Majesty's Reign, intituled "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof."

Mr. Morris gives notice that he will to-morrow move for leave to bring in a Bill to make provision for the establishment of Courts in the District of Bathurst.

Mr. Morris gives notice that he will, on Monday next, move for leave to bring in a Bill to repeal part of and amend the Registry Laws in this Province.

Mr. Hagerman gives notice that he will, on Wednesday next, move for leave to bring in a Bill to amend and explain an Act passed in the fifty-first year of His late Majesty's Reign, to ascertain damages in protested Bills of Exchange, and fixing the Rate of Interest in this Province.

Mr. Nichol gives notice that he will, on Monday next, move for leave to bring in a Bill to repeal an Act passed in the fifty-eighth year of His Late Majesty's Reign, intituled an Act to authorize the inquiry and Trial of Offences committed within this Province without the limits of any described township or county, to be had in any District thereof.

Mr. Nichol gives notice that he will, on Tuesday next, move for leave to bring in a Bill to repeal the laws now in force for levying Rates and Assessments within this Province, and for making further and more effectual provision for levying Rates and Assessments within the same.

Mr. Nichol gives notice that he will, on Monday next, move that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to direct the money arising from the sale of the Forfeited Estates to be distributed among the sufferers by the late war, in conformity to the provisions of the Act in that case made and provided.

The House then adjourned until ten o'clock to-morrow.

Thursday, 16th January, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Ruttan, seconded by Mr. Gates, moves for leave to bring up the petition of the Inhabitants of the Township of Cramahe, in the Newcastle District, which was granted, and the Petition brought up.

Agreeably to the order of the day, His Excellency the Lieutenant Governor's Speech at the opening of the Session was read.

Mr. Nichol, seconded by Mr. Morris, moves that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor, to thank His Excellency for his gracious Speech from the Throne at the opening of the present Session.

To assure His Excellency that we are sensibly impressed with His Excellency's consideration in assembling the Provincial Parliament at the present time as being expedient for the Public Service and as being likely to enable His Excellency to lay before us the decision of the Arbitrators on the respective claims of the two Provinces in the course of present Session.

To thank His Excellency for his promptitude in transmitting in an early part of the recess the joint Address of the Legislative Council and House of Assembly to His Majesty on the subject of the interruption which the Public Revenue had suffered, and to assure His Excellency of the gratitude which we feel for the attention which His Majesty has bestowed on our reasonable and temperate Address.

To assure His Excellency that we are deeply sensible of His Majesty's Paternal solicitude and regard, as evinced in the measures brought under the consideration of His Imperial Parliament at the last Session, not only to remedy the evils which we represented, but to prevent their return, and that the measures adopted as suggested for these salutary purposes shall receive our serious attention.

To assure His Excellency that we rejoice to hear that the Commissioner appointed in compliance with our joint recommendation has acquitted himself entirely to His Excellency's satisfaction. We are perfectly disposed to concur in His Excellency's opinion as to the able manner in which the Commissioner has conducted the important negotiation with which he was entrusted.

To assure His Excellency that we are highly gratified to hear a favorable reply to our Address to His Majesty in behalf of the sufferers during the late war has been received, and that when it is submitted to us it shall receive our early and serious attention.

To assure His Excellency that when the usual accounts are laid before us they shall receive our serious consideration, and that His Excellency may rely on our disposition to make a suitable provision for any deficiency that may exist in the funds provided by the British Statutes for the honorable support of His Majesty's Government.

To assure His Excellency of the satisfaction we feel at His Excellency's communication that by the enactments of the Imperial Parliament One Fifth of the collections at the Port of Quebec since the expiration of the last provisional agreement has been received, and at the same time to express our regret that by the accounts received from Quebec for the last three years there appears to have been a defalcation in the amount of the collection at that Port, by which, though our means have been sufficient to meet the different appropriations, they have not sufficed for the redemption of our debentures.

The preservation of the public credit of the Province being of the highest importance, it shall receive our early and most profound attention.

To assure His Excellency of our satisfaction at the transfer of the Public Debt to the Provincial Bank, by which so great a saving of interest has been effected, and that with His Excellency we are happy to notice the benefit which the country has thus derived from that institution.

To assure His Excellency that the expiring laws shall receive our attention, and that in renewing the provisions respecting Distilleries we shall keep in view as well the protection of the revenue as the preservation of the morals of the people.

In amendment, Dr. Baldwin, seconded by Mr. Randal, moves that the fourth clause of the Resolution be expunged altogether. Which was lost.

In amendment, Mr. Ruttan, seconded by Mr. Wilmot, moves that the word "salutary" in the fourth Resolution be expunged. Which was carried.

Dr. Baldwin, in amendment, seconded by Mr. Randal, moves that the words "provided by British Statutes" be expunged. Which was lost.

On the original question as amended being put the House divided, and the yeas and nays were taken as follows:

Yeas: Messrs. Nichol, Chisholm, Willson (Prince Edward), White, Hamilton (Wentworth), Ruttan, Kerr, Gates, Hamilton (Lincoln), Morris, Hagerman, McDonell, Shaver.

Nays: Messrs. Randal, Baldwin, Wilmot.

The question was carried in the affirmative by a majority of ten, and ordered accordingly.

Mr. Nichol, seconded by Mr. Chisholm, moves that Messrs. McDonell, Hagerman and Morris be ordered to draft an Address to His Excellency the Lieutenant Governor, in conformity to the Resolution of this House, and to report the same to the House. Which was ordered.

Mr. Kerr gives notice that he will, on Wednesday, move for leave to bring in a Bill to authorize the Governor, Lieutenant Governor or person administering the Government, to appoint Inspectors of Salt within this Province.

The House then adjourned until ten o'clock to-morrow.

Friday, 17th January, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Nichol, seconded by Mr. Randal, moves that he have leave to bring up the Petition of Alexander Gardner of Niagara, Mason. Which was granted, and the Petition brought up.

Mr. White, seconded by Mr. Battie, moves for leave to bring up the Petition of sundry Inhabitants of the Town of Belleville, in the County of Hastings.—Which was granted, and the Petition brought up.

Agreeably to the order of the day, the Petition of John P. Clement, of the Township of Niagara, Gent., claiming a property which has been sold under the Forfeited Estate Act, was read.

Mr. Nichol, seconded by Mr. Randal, moves that the petition of John P. Clement be referred to a Select Committee, and that Messrs. Kerr, Hamilton, of Lincoln, Clark and Hagerman do constitute the said Committee, and that the said Committee have power to send for persons and papers. Which was ordered.

Mr. Nichol, of the Committee to draft an Address to His Excellency the Lieutenant Governor in answer to His Excellency's Speech at the opening of the present Session reported a draft, which was received and read the first time.

Mr. Nichol, seconded by Mr. Hagerman, moves that the fifth Rule of the House be dispensed with in so far as relates to the Address to His Excellency the Lieutenant Governor, and that it be now read a second time. Which was ordered, and the draft was read the second time.

Mr. Nichol, seconded by Mr. Hagerman, moves that the House do now resolve itself into a Committee of the Whole, to take the Address into consideration. Which was carried, and Mr. Gates took the chair of the Committee. The House resumed. Mr. Gates reported the Address as amended. Ordered that the Report be received.

Mr. Nichol, seconded by Mr. Hagerman, moves that the Address to His Excellency the Lieutenant Governor be engrossed, and read a third time this day. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Randal, moves that he have leave to bring in a Bill to repeal an Act passed in the forty-fourth year of His late Majesty's Reign, intituled "An Act for the better securing the Province against all seditious attempts or designs to disturb the tranquillity thereof." Which was carried and the Bill read.

Mr. Nichol, seconded by Mr. Randal, moves that the Bill to repeal the Sedition Act be read a second time to-morrow. Which was ordered.

Mr. Nichol gives notice that he will, on to-morrow, move that an Humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to direct the proper Officer to lay before this House copies of the

Canada Trade Act, and of the Bill for re-uniting the Provinces of Upper and Lower Canada under one Legislature.

Mr. Hagerman gives notice that he will, on Thursday next, move that the House do resolve itself into a Committee of the Whole, to take into consideration that part of His Excellency the Lieutenant Governor's Speech relating to expiring laws.

Mr. Hagerman gives notice that he will, on to-morrow, move for a Select Committee, to report on the expiring laws.

Mr. Nichol gives notice that he will, on Friday next, move for leave to bring in a Bill to repeal the several laws now in force for amending and repairing the Public Highways in this Province, and to make further provision for amending and repairing the same. The House then adjourned for one hour. The House met pursuant to adjournment.

Agreeably to order, the Address to His Excellency the Lieutenant Governor in answer to His Excellency's Speech at the opening of the present Session, was read the third time, passed, and signed by the Speaker as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c., &c.:

May it please your Excellency: We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly beg leave to thank your Excellency for your gracious Speech from the Throne at the opening of the present Session, and to assure Your Excellency that we are sensibly impressed with your Excellency's consideration in assembling the Provincial Parliament at the present time, as being expedient for the Public Service, to lay before us the decision of the Arbitrators on the respective claims of the two Provinces in the course of the present Session.

We also thank Your Excellency for your promptitude in transmitting in an early part of the recess the Joint Address of the Legislative Council and House of Assembly to His Majesty, on the subject of the interruption which the Public Revenue had suffered, and assure Your Excellency of the gratitude which we feel for the attention which His Majesty has bestowed on our reasonable and temperate Address.

We further assure Your Excellency that we are deeply sensible of His Majesty's Paternal solicitude and regard, as evinced in the measures brought under the consideration of His Imperial Parliament at the last Session, not only to remedy the evils which we represented, but to prevent their return, and that the measures adopted and suggested for these purposes shall receive our serious attention.

We likewise assure Your Excellency that we rejoice to hear that the Commissioner appointed in compliance with our joint recommendation has acquitted himself entirely to Your Excellency's satisfaction, and that from the expression of Your Excellency's approbation we are perfectly disposed to concur in Your Excellency's opinion as to the able manner in which the Commissioner had conducted the important negotiation with which he was intrusted.

We further assure Your Excellency that we are highly gratified to hear that a favorable reply to our Address to His Majesty in behalf of the sufferers during the late war has been received, and that when it is submitted to us it shall receive our early and serious attention.

We also assure Your Excellency that when the usual accounts are laid before us they shall receive our attentive consideration, and that Your Excellency may

rely on our disposition to make a suitable provision for any deficiency that may exist in the funds provided by the British Statutes for the Honorable support of His Majesty's Government.

We assure Your Excellency of the satisfaction we feel at Your Excellency's Communication, that by the enactments of the Imperial Parliament one-fifth of the collection at the Port of Quebec since the expiration of the last Provincial Agreement has been received, and at the same time express our regret that by the accounts received from Quebec for the last three years, there appears to have been a material defalcation in the amount of the collection at that Port, by which, though our means have been sufficient to meet the different appropriations, they have not sufficed for the redemption of our Debentures. The preservation of the Public Credit of the Province being of the highest importance, it shall receive our early and most profound attention.

We assure Your Excellency of our satisfaction at the transfer of the Public Debt to the Provincial Bank, by which so great a saving of interest has been effected, and that with Your Excellency we are happy to notice the benefit which the country has thus derived from that Institution.

We assure Your Excellency that the expiring laws shall receive our attention, and that in renewing the provisions respecting Distilleries we shall keep in view as well the protection of the Revenue as the preservation of the morals of the people.

Levius P. Sherwood, Speaker.

Commons House of Assembly, 17th January, 1823.

Mr. Nichol, seconded by Mr. Morris, moves that Messrs. Hagerman and McDonell be a Committee to wait upon His Excellency the Lieutenant Governor, to acquaint him that this House has agreed to an Address in answer to His most gracious Speech from the Throne at the opening of the present Session, and to learn when he will be pleased to receive this House with the same. Which was ordered.

Mr. Pattie gives notice that he will on Thursday next move for leave to bring in a Bill for the purpose of establishing a District School in the District of Ottawa.

Mr. Baldwin, from the Committee appointed to superintend the alterations and repairs of the Room of Assembly, Clerks Offices, etc., during the recess, brought up a Report, which was received and read as follows:

To the Honourable the Speaker and Members of the Commons House of Assembly.

The Committee charged by the Resolution of Your Honorable House with the superintendence of certain repairs and accommodations approved by that Resolution as proper to be made to their Chamber and its building beg leave to report.

That in obedience to the order of the House they contracted with Messrs. Ford and Cartwright of York, Carpenters, for furnishing the Chamber of Your Honorable House with a suitable platform and chair for the Speaker, and forty chairs and desks for the members, for the sum of One Hundred and Five Pounds, Provincial currency, and for the removal of the rear door of the Chamber and the erection of a temporary passage between it and the offices adjoining, with the removal of the old wooden building in the rear, the sum of Thirteen Pounds.

Your Committee beg leave further to report that in the progress of this work other materials and alterations not anticipated in the contract, but equally for the comfort of the House, became necessary, and Your Committee accordingly directed the carpenters to find these additional materials and execute the whole in the present manner, which Your Committee trust will be satisfactory to the House.

Your Committee have examined the accompanying account of Messrs. Ford and Cartwright on the extra work and materials, and beg leave to state that the same is in their humble opinion reasonable and correct.

Your Committee lastly report that having inquired into the expense of erecting the additional building of brick for Committee Rooms, and finding the same would far exceed the sum ordered by the House, Your Committee forbore to enter into any contract for this part of the Resolution, confining the expenditure to what was most indispensably necessary for the use of the House.

ALEXR. MCDONELL, W. W. BALDWIN.

Mr. Nichol, seconded by Mr. Morris, moves that it be resolved, that the Report of the Committee appointed at the last Session to superintend the repairs and alterations of the Hall and Offices of the House of Assembly, be referred to a Select Committee, to report their opinion thereon. Which was ordered.

Mr. Hagerman, seconded by Mr. Hamilton of Lincoln, moves that Messrs. Nichol, Morris and Wilmot compose the said Committee. Which was ordered.

Mr. Nichol, seconded by Mr. Hagerman, moves that it be resolved that the Committee appointed to inquire into the case of John P. Clement, be directed to report by Bill or otherwise. Which was ordered.

The House then adojurned till ten o'clock to-morrow.

Saturday, 18th January, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves for leave to bring up the Petition of the Freeholders of the Incorporated Counties of Lennox and Addington. Which was granted, and the Petition brought up.

Agreeably to the order of the day, the Petition from the Inhabitants of the Township of Cramahe, praying that an Act may be passed identifying the eastern limit with the obvious western limit of the Township of Murray according to the original intention, was read.

Agreeably to the order of the day, the Sedition Law Repeal Bill was read the second time.

Mr. Nichol, seconded by Mr. Randal, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Sedition Law Repeal Bill. Which was carried and Mr. Randal took the Chair of the Committee. The House resumed. Mr. Randal reported the Bill without amendment. Ordered that the Report be received.

Mr. Nichol, seconded by Mr. Randal, moves that the Sedition Law Repeal Bill be engrossed, and read a third time on Monday next. Which was ordered.

Agreeably to notice, Mr. Nicol, seconded by Mr. McDonell, moves that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to direct the proper Officer to lay before this

House a copy of the Canada Trade Act, also the printed Bill for uniting the Legislatures of Upper and Lower Canada.

In amendment, Dr. Baldwin, seconded by Mr. Randal, moves that there be added these words, "and that His Excellency be pleased to inform this House if any and what communications have been made to him by His Majesty's Ministers on that subject." On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Clark, Randal, Wilmot, Baldwin, White.

Nays: Messrs. Nichol, Pattie, Chisholm, Peterson, Ruttan, Kerr, Hamilton (Lin.), Gates, Hagerman, Morris, Casey, McDonell, Shaver, Jones (Gren.).

The question was carried in the negative by a majority of nine, and lost accordingly.

In amendment, Mr. Jones of Grenville, seconded by Mr. Shaver, moves that the following words be added to the original motion, "and such other information as His Excellency can communicate on the subject of the proposed union." Which was carried.

On the original question as amended being put the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Pattie, Nichol, Chisholm, Peterson, Willson (P. E.), White, Hamilton (Went.), Ruttan, Kerr, Gates, Hamilton (Lin.), Hagerman, Morris, Casey, McDonell, Shaver, Jones (Gren.).

Nays: Messrs. Clark, Randal, Wilmot, Baldwin.

The question was carried in the affirmative by a majority of thirteen and ordered accordingly.

Mr. Hagerman, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive this House with their Address in answer to His Excellency's Speech at the opening of the present Session, reported that His Excellency had appointed the hour of two o'clock p.m. on Monday next for that purpose.

Mr. Nichol, seconded by Mr. Pattie, moves that Messrs. Hagerman, Jones, of Grenville, and McDonell be a Committee to draft an Address to His Excellency the Lieutenant Governor pursuant to the Resolution of this House. Which was ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. Hamilton, of Lincoln, moves for leave to bring in a Bill to establish Courts in the District of Bathurst, and to fix upon the place where such Courts shall be holden. Which was carried, and the Bill read the first time.

Mr. Morris, seconded by Mr. Gates, moves that the Bill to establish Courts in the District of Bathurst be read a second time this day, and that the fifth Rule of the House be dispensed with so far as relates to the said Bill. Which was carried, and the Bill read the second time.

Mr. Morris, seconded by Mr. Hamilton of Lincoln, moves that the House do now resolve itself into a Committee of the Whole, on the Bill to establish Courts in the District of Bathurst. Which was carried, and Mr. Clark took the chair of the Committee. The House resumed. Mr. Clark reported the Bill as amended. Ordered that the Report be received.

Mr. Morris, seconded by Mr. Hamilton of Lincoln, moves that the Bill to establish Courts in the District of Bathurst be engrossed, and read a third time this day. Which was ordered.

Agreeably to notice, Mr. Hagerman, seconded by Mr. McDonell, moves that Messrs. Jones of Grenville, Gates and Chisholm be a Committee to report on the expiring laws of the Province. Which was ordered.

Mr. Nichol, seconded by Mr. Chisholm, moves that the fifth Rule of the House be dispensed with in so far as to enable him to move that it be resolved that this House be called over on Wednesday, the 5th day of February next. Which was carried.

Mr. Nichol, seconded by Mr. Chisholm, moves that it be resolved that this House be called over on Wednesday, the 5th day of February next. Which was carried.

Mr. Nichol, seconded by Mr. Chisholm, moves that it be resolved that the Speaker do cause a notification of the resolution to be transmitted to the absent Members, in so far as the same can be done. Which was ordered.

Mr. Nichol gives notice that he will, on Monday next, move for leave to bring in a Bill to amend the Inland Navigation Act, and to extend the provisions of the said Act.

Mr. Nichol gives notice that he will, on Tuesday next, move that it be resolved that imputations having during a former Session of this House been thrown out reflecting on the character of David Pattie, Esq., a Member of this House, a Select Committee be appointed to inquire into the same, and to report thereon to this House; with power to send for persons and papers.

Mr. Nichol, from the Committee to draft an Address to His Excellency the Lieutenant Governor, requesting copies of the Canada Trade Act and Provincial Union Bill, reported an Address, which was received and read the first time.

Mr. Nichol, seconded by Mr. Chisholm, moves that the Address to His Excellency the Lieutenant Governor for papers and information relative to the Union, be read a second time this day. Which was carried, and the draft was read the second time.

Mr. Nichol, seconded by Mr. Chisholm, moves that the House do now resolve itself into a Committee of the Whole, to take the Address to His Excellency into consideration. Which was carried, and Mr. Willson, of Prince Edward, was called to the chair of the Committee.

The House resumed. Mr. Willson reported the Address without amendment. Ordered that the Report be received.

Mr. Nichol, seconded by Mr. Chisholm, moves that the Address to His Excellency the Lieutenant Governor be engrossed, and read a third time this day. Which was ordered.

Agreeably to order, the Address to His Excellency the Lieutenant Governor, requesting copies of the Canada Trade Act and Union Bill, was read the third time, passed, and signed by the Speaker as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath; Lieutenant Governor of the Province of Upper Canada and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly pray Your Excellency will be pleased to direct the proper Officer to lay before this House a copy of the Canada Trade Act, also of the Printed Bill for uniting the

Legislatures of Upper and Lower Canada, together with such other information as Your Excellency can communicate on the subject of the proposed Union.

LEVIUS P. SHERWOOD, Speaker.

Commons House of Assembly,
18th January, 1823.

Mr. Nichol, seconded by Mr. Pattie, moves that Messrs. Jones, of Grenville, and Chisholm, be ordered to wait upon His Excellency the Lieutenant Governor to acquaint him that this House has agreed to an Address to His Excellency requesting papers and information relative to the Union, and to learn when His Excellency would be pleased to receive it, and to present the same. Which was ordered.

Agreeably to order, the Bathurst Court Bill was read the third time.

Mr. Morris, seconded by Mr. Casey, moves that the Bill do now pass, and that it be intituled "An Act to provide for the establishment of Courts in the District of Bathurst, and for other purposes therein mentioned." Which was carried, and the Bill signed.

Mr. Nichol, seconded by Mr. Randal, moves that Messrs. Morris and Jones, of Grenville, be ordered to carry up to the Honorable the Legislative Council the Bathurst Court Bill, and to request their concurrence therein. Which was ordered.

Mr. Nichol gives notice that he will, on Wednesday next, move that it be resolved that a Select Committee be appointed to consider of the existing laws for dividing the Province into Counties and Districts, and to report to the House whether any, and if any, what amendments are necessary to be made therein.

The House then adjourned till Monday at ten o'clock a.m.

Monday, 20th January, 1823.

The House met: Prayers, Minutes of Saturday.

Agreeably to the order of the day, the Sedition Law Repeal Bill was read the third time.

Mr. Nichol, seconded by Mr. Pattie, moves that the Sedition Law Repeal Bill do now pass, and that it be intituled "An Act to repeal an Act, passed in the forty-fourth year of His Majesty's Reign, intituled "An Act for the better securing this Province against Seditious attempts or designs to disturb the tranquility thereof." Which was carried and the Bill signed.

Mr. Nichol, seconded by Mr. Pattie, moves that Messrs. Randal and Casey be ordered to carry up to the Honorable the Legislative Council the Seditious Law Repeal Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petition from Alexander Gardner of the Town of Niagara, Mason, and the Petition of the Inhabitants of the Town of Belleville, praying for the establishment of a Police in the said Town of Belleville, were then read.

Mr. Nichol, seconded by Mr. Pattie, moves that the Petition of Alexander Gardner of the Town of Niagara, Mason, be referred to the consideration of the Committee on the Petition of John P. Clement, to report by Bill or otherwise, and with leave to send for persons and papers. Which was ordered.

Mr. White, seconded by Mr. Nichol, moves that the Belleville Police Petition be referred to a Select Committee, and that Messrs. Hagerman, Wilmot and Ruttan do compose the said Committee, and that they have leave to report by Bill or otherwise. Which was ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. Nichol, moves for leave to bring in a Bill to amend and extend the provisions of an Act, passed in the thirty-fifth year of His late Majesty's Reign, intituled, "An Act for the Public Registering of Deeds, Conveyances, Wills and other Incumbrances which shall be made or may affect any Lands, Tenements or Hereditaments within this Province." Which was granted, and the Bill read.

Mr. Morris, seconded by Mr. Shaver, moves that the Registry Amendment Bill be read a second time on Friday next. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Pattie, moves for leave to bring in a Bill to repeal an Act, passed in the fifty-eighth year of His late Majesty's Reign, intituled "An Act to authorize the inquiry and trial of offences committed within the Province without the limits of any described Township or County thereof." Which was carried, and the Bill read.

Mr. Nichol, seconded by Mr. Pattie, moves that the Jurisdiction Repeal Bill be read a second time on Thursday next. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Pattie, moves that it be resolved that an humble Address be presented to His Excellency, the Lieutenant Governor, most humbly to represent to His Excellency that in pursuance of instructions from His Royal Highness the Prince Regent (the now King) acting in the name and on the behalf of His late Majesty, and also in pursuance of two several Acts of the Parliament of this Province, provision was made for the forfeiture and sale of the Real and Personal Estates of certain persons therein described, and the proceeds thereof, after satisfying certain demands, were directed to be applied towards compensating the losses which His Majesty's faithful subjects of this Province had sustained by the invasion of the enemy or otherwise during the late war with the United States of America."

To represent to His Excellency that in consequence of the said instructions and Acts, large sums have been raised from the sale of the said estates, which are now in the hands of the Receiver specially appointed for that purpose, under the authority of one of the said Acts; and that His Majesty's faithful subjects who are thus peculiarly the objects of His Majesty's most gracious and benevolent consideration have suffered, and still are suffering, great and unmerited hardships from the losses sustained by them during the late war, by which, in many instances, their remaining property has been sacrificed and themselves and their families have been reduced to extreme misery, from which, by the funds thus accumulated and unemployed, they might be partially relieved.

To most earnestly implore His Excellency to take the cases of those unfortunate persons into His Excellency's serious consideration; and to direct distribution to be forthwith made of the said funds to those persons whose cases have been reported upon by the Special Commission, in proportion to the sums respectively awarded to them, that themselves and their families may be preserved from utter ruin, and that they must be enabled to provide for the future support of themselves and families. On which debates ensued.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves the adjournment of the debate until Monday next. Which was carried.

Agreeably to notice, Mr. Nichol, seconded by Mr. Pattie, moves for leave to bring in a Bill to amend and extend the provisions of an Act, passed in the second year of His Majesty's Reign, intituled "An Act to make provision for the improvement of the internal navigation of this Province." Which was granted, and the Bill read.

Mr. Nichol, seconded by Mr. Pattie, moves that the Inland Navigation Act Amendment Bill be read a second time to-morrow. Which was ordered.

Mr. Morris, from the Committee to carry up to the Honorable the Legislative Council the District of Bathurst Court Bill, and to request their concurrence thereto, reported they had done so.

Mr. Nichol gives notice that he will, on to-morrow, move that it be resolved that the Detailed Accounts for the years 1816, 1817, 1818, 1819 and 1820 be referred to a Select Committee of seven Members to report thereon, and that the said Committee be chosen by ballot on Wednesday.

At half past one o'clock the House waited upon His Excellency, the Lieutenant Governor, with the Address in answer to His Excellency's Speech at the opening of the present Session; and having returned,

The Speaker reported that His Excellency had been pleased to make the following reply:

Gentlemen of the House of Assembly:

I return you my warmest thanks for this kind and loyal Address, and I receive with peculiar satisfaction the assurances that you will make the matters I have recommended to you the objects of your early attention.

These, from the confidence I have derived from my experience of your wisdom and conduct on former occasions, I am persuaded you will treat in such a manner as shall result in measures most conducive to the honor of Your Sovereign and the true interests of the country.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 21st January, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Dr. Baldwin, seconded by Mr. Wilmot, moves for leave to bring up the Petition of Susannah Kendrick. Which was granted, and the Petition laid on the Table.

Mr. Nichol, seconded by Mr. Gordon, moves for leave to bring up the Petition of the Magistrates of the London District in Quarter Sessions. Which was granted and the Petition laid on the Table.

Mr. Nichol, seconded by Mr. Gordon, moves that he have leave to bring up the Petition of the Magistrates and Grand Jury of the London District in Quarter sessions. Which was granted, and the Petition laid on the Table.

The Petition of the Inhabitants of the Incorporated Counties of Lenox and Addington was then read.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that the Petition of Robert Perry, Junior, and others, Freeholders of the Incorporated Counties of Lenox and Addington, having been read, be entered on the Journals. Which was ordered, and the Petition is as follows:

To the Honorable the House of Assembly of the Province of Upper Canada in Provincial Parliament Assembled.

The Petition of the undersigned, Freeholders of the Incorporated Counties of Lenox and Addington,

Humbly Showeth:

That by virtue of a Writ of Elections, issued in the usual form and directed to John McLean, Esquire, as Returning Officer, the Freeholders of those Counties were required to elect a person to serve in the present House of Assembly as a

representative of the said Counties, and the election was appointed to be held at Adolphustown, on Monday the eleventh day of February, in the year of Our Lord, One thousand eight hundred and twenty-two; when and where the Returning Officer, having read the said Writ of Election, called upon the electors to nominate their candidates.

Whereupon Marshall Spring Bidwell, Esquire, was nominated by one of the electors, and his nomination was seconded by another of the electors and taken down by the Poll Clerk by direction of the said Returning Officer, who declared to the electors that the said Marshall S. Bidwell was nominated as a candidate, and requested them to nominate any other candidates if they pleased.

Matthew Clark, Esquire, and Thomas Williams, Esquire, were then respectively nominated. The said Thomas Williams objected to the said Marshall S. Bidwell being a candidate, upon the ground of his having been born in the United States, and therefore being ineligible, as well as incapable of holding the necessary freehold property. In reply it was stated to the Returning Officer that although the said Marshall S. Bidwell was born in the United States, yet he was in truth and in fact within the provisions of the Naturalization Acts of the British Parliament, by which, in the language of Sir William Blackstone, "All children born out of the King's legiance whose fathers or grandfathers by the father's side were natural born subjects are now deemed to be natural born subjects themselves to all intents and purposes, unless their said ancestors were attainted or banished beyond the sea for High Treason, or were at the birth of such children, in the service of a Prince at enmity with Great Britain." That at the birth of the said Marshall S. Bidwell his father, who was born a British subject, was not, nor had he ever been, in the service of a Prince at enmity with Great Britain; nor had he taken any oath of foreign allegiance containing words of abjuration of British allegiance; and the said Marshall S. Bidwell was therefore a natural born subject himself, within the express terms of these Acts of Naturalization, that such has been the construction put upon the law in this Province in regard to the eligibility of persons born in the United States of America of British born parents, and that it was a fact well known that there were in the present House of Assembly, as there have been in former Houses, Members who were thus born in the United States. That if freeholders were on that ground ineligible after seven years' residence here, they were also incapable of voting at elections; the qualifications of Members and Electors in this respect being defined by the same Statute, and in the same words; yet no one had ever questioned the votes of such freeholders, and even the said Thomas Williams himself declared that he was willing that their votes should be received at this election, and they were in fact so received. It was further stated to the said Returning Officer that the said Marshall S. Bidwell came into this Province to reside in the year 1812, before the late war with the United States, and had resided here ever since, a term of more than seven years; that after a regular clerkship according to the rules of the Law Society, he had been called and admitted to the profession and practice of Law in this Province as a Barrister and Attorney, and had taken the oaths of Office, of Allegiance, supremacy and abjuration, and the declaration of belief in the Christian Religion before His Majesty's Court of King's Bench: that he was seized and possessed in his right of the requisite estate in fee simple, and was legally qualified as a candidate for the election, wherefore in his behalf, and in behalf of the electors who nominated him and those who intended and were ready to vote for him, the said Returning Officer was desired not to assume upon himself to reject the votes aforesaid for the said Marshall S. Bidwell. Yet he, the said Returning Officer, expressed his determination to reject

them, declaring his only reason for so doing was that in his opinion the said Marshall S. Bidwell, having been born in the United States, was an Alien.

The oath of office was then administered to the said John McLean as Returning Officer, he not having taken the same until after he had formed and declared his determination to reject all votes for the said Marshall S. Bidwell. It was stated to the said Returning Officer that the said Marshall S. Bidwell was willing to take the oath of qualification prescribed by the Provincial Statute to be taken by candidates if required; and several of the electors then present requested and demanded of the said Returning Officer that he should receive the votes which might be polled for the said Marshall S. Bidwell, whose name had already been entered by the Poll Clerk as a candidate, but the said Returning Officer persisted in declaring that he would receive no votes for him, whereupon the said Marshall S. Bidwell and the electors by whom he was nominated and the other electors who intended to vote for him objected and protested against the proceedings and conduct aforesaid of the said Returning Officer, and against the election about to be proceeded in as arbitrary, illegal, and subversive of the constitutional rights of the electors. The poll, however, was open, and several of the electors then came forward and declared and offered their votes for the said Marshall S. Bidwell, but the said Returning Officer refused to suffer them to be entered upon the Poll Book. He was then requested to permit a person as Clerk to sit by the Poll and to take down the names of the electors who had thus offered and might offer their votes for the said Marshall S. Bidwell, which he, the said Returning Officer, refused to permit; but received the votes for Messrs. Clark and Williams, and at the close of the Poll declared the said Matthew Clark elected, and accordingly returned him as the Member elect.

Twelve of the Freeholders protested against the said election and return on the grounds above stated.

Upon these facts, which can be verified by satisfactory evidence, and will not, it is believed, be denied by the Sitting Member, the undersigned Freeholders of the said Counties of Lenox and Addington respectfully submit to your consideration that the proceedings and conduct aforesaid of the said Returning Officer were a transgression of his duty as a Returning Officer and usurpation of the proper authority of Your Honorable House to judge of the qualifications of the Members thereof, and to decide all contested or doubtful points either of law or facts relating thereto, an infringement upon the constitutional rights of the electors, and an example dangerous and in its tendency fatal to the freedom and security of elections; and though the said Matthew Clark himself did not object to the said Marshall S. Bidwell as a candidate nor require the votes offered for him to be rejected, yet, as they were rejected, although at the instance of another candidate, it does not and cannot appear that the said Matthew Clark was elected by the majority of the electors qualified and claiming to vote in the said election. On the contrary, it is believed that a great majority of them were in favour of the election of the said Marshall S. Bidwell, and would have voted for him if they had not been deprived of the privilege of voting for the candidate of their own choice, for which reason many of them went home without voting at all.

Wherefore Your Petitioners humbly pray Your Honorable House to adjudge and declare that the said Matthew Clark was not duly elected, ought not to have been returned, and is not entitled to a seat in the House as a Representative of these Counties.

And as in duty bound will ever pray.

Signed by Robert Perry, Jr., and one hundred and eight others.

Lenox and Addington, 1822.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that the Clerk of the Crown in Chancery be directed to bring up the Writ of Election with the return of a Member to serve in the present Parliament for the incorporated Counties of Lenox and Addington. Which was ordered.

Mr. Nichol, seconded by Mr. Jones of ————, moves that it be resolved that all Petitions ordered to be entered on the Journals of this House be immediately thereafter printed.

In amendment, Mr. Hagerman, seconded by Mr. Jones of ————, moves that all the words after the word "resolved" be expunged, and that the following be inserted, "that the Petition of Robert Perry, Jr., and others be printed for the use of the Members." Which was carried.

The original motion as amended was then put and carried.

Agreeably to the order of the day, the Navigation Law Amendment Bill was read the second time.

Mr. Nichol, seconded by Mr. Gordon, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Navigation Law amendment Bill. Which was carried, and Mr. Peterson took the Chair of the Committee.

The House resumed. Mr. Peterson reported the Bill as amended. Ordered that the Report be received.

Mr. Nichol, seconded by Mr. Gordon, moves that the fifth Rule of the House be dispensed with in so far as relates to the Inland Navigation Bill, and that it be engrossed and read a third time this day. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Casey, moves that it be resolved, that imputations having at a former session of the Legislature been thrown out in this House reflecting on the character of David Pattie, Esq., a Member thereof, a Select Committee with power to send for persons and papers be appointed to inquire into the same, and to report their opinion thereon to this House. On which Debates ensued.

In amendment, Mr. Hagerman, seconded by Mr. Burwell, moves that the Debates on Mr. Nichol's motion be adjourned until Thursday next. Which was lost.

On the original question being put the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Clark, Chisholm, Randal, Peterson, Wilmot, Kerr, Hamilton (Wentworth), Morris, McDonell, Casey, Crooks.

Nays: Messrs. Gordon, Jones (Leeds), Baldwin, Willson (Wentworth), Willson (Prince Edward), White, Walsh, Ruttan, Burwell, Hagerman, Jones (Grenville), Bostwick.

The question was carried in the affirmative by the casting vote of the Speaker, and ordered accordingly.

Mr. Nichol, seconded by Mr. Clark, moves that Messrs. Crooks, Morris, McDonell and Hamilton, of Lincoln, do compose the said Committee.

Agreeably to the order of the day the Navigation Law amendment Bill was read the third time.

Mr. Gordon, seconded by Mr. Nichol, moves that the Bill do now pass, and that it be intituled "An Act to amend and extend the provisions of an Act passed in the second year of His Majesty's Reign, intituled an Act to make further provision for the improvement of the internal navigation of the Province. Which was carried and the Bill signed.

Mr. Morris, seconded by Mr. Hamilton, of Lincoln, moves that Messrs. Nichol and Gordon be a Committee to carry up to the Honorable the Legislative Council the Inland Navigation Amendment Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Crooks, moves that it be resolved that the detailed accounts for the years 1816, 1817, 1818, 1819 and 1820 be referred to a Select Committee of seven members, and that the said Committee be chosen by ballot on to-morrow. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Gordon, moves that it be resolved that this House do on Monday next resolve itself into a Committee of the whole, to take into consideration the state of the Province. Which was ordered.

Mr. Crooks gives notice that he will, on Friday next, move for leave to bring in a Bill to divide the County of Halton in the District of Gore.

Mr. Willson, of Wentworth, gives notice that he will on to-morrow, move that it is expedient to employ a Reporter or Reporters to take the debates of Members during the present Session.

Mr. Nichol gives notice that he will, on Saturday next, move that it be resolved that a Select Committee be appointed to inquire into the existing laws respecting the raising and training the Militia of this Province, and to report their opinion to this House whether any, and if any, what alterations or amendments are required to be made thereto.

Mr. Nichol, seconded by Mr. Gordon, moves that Christopher A. Hagerman, Esq., a Member of this House, be examined in his place touching his knowledge of the Editors and Publishers of the Kingston *Chronicle*. Which was ordered.

Mr. Nichol, seconded by Mr. Pattie, moves that it be resolved that it appears to this House that John Macauley and Alexander Pringle, both of Kingston, Esquires, are the Printers and Publishers of a false, scandalous and malicious libel, as contained in a paragraph of the Kingston *Chronicle* of the 11th January, 1822. On which debates ensued.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the present debate be adjourned until to-morrow. Which was carried.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor a message with communications respecting compensation for losses and forfeited estates; and having withdrawn, the Speaker read the same as follows:

P. Maitland. The Lieutenant Governor transmits to the Commons House of Assembly an extract from a despatch of His Majesty's Principal Secretary of State for the Colonies, on the subject of the losses sustained by Inhabitants of this Province during the late war with the United States of America.

21st January, 1823.

Extract of a dispatch from the Right Honorable the Earl Bathurst, his Majesty's principal Secretary of State for the Colonies, to Major-General Sir Peregrine Maitland, K.C.B., &c.

Dated Downing St., 12th June, 1823:

With reference to your dispatch transmitting an Address of the Legislative Council and Assembly of Upper Canada upon the subject of compensation to certain Inhabitants of that Province for losses sustained during the late war with the United States of America, I have to acquaint you that His Majesty has acceded to a request preferred by Mr. Galt, the Agent for the sufferers, that a loan shall be raised of £100,000 of which the Government here will guarantee

half the interest (£2,500 per annum) the Province providing for the remainder, which shall be applied in satisfaction of such claims of sufferers by the invasion as may be established before a new Commission.

The proposed measures must, of course, be submitted to, and receive the sanction of the Legislature at their first meeting.

Truly Extracted,
(Signed) G. HILLIER.

P. Maitland. The Lieutenant Governor transmits to the Commons House of Assembly, in compliance with its Address during the last Session of the Provincial Legislature, an Account, showing the gross produce of the sale of Forfeited Estates, the expense incurred under the 58th of His late Majesty, Chap. 12, the Debentures issued under the authority of the said Act, and the sums outstanding and due to the Commissioners for property sold by them, and of the property remaining unsold. 21st January, 1823.

Statement of the Gross Produce of the sales of Forfeited Estates, of the Expenses incurred under the Provincial Statute, 59 Geo. III., Chap. 12, of the amount for which Debentures have issued under the said Act, and of the sums outstanding and due the Commissioners for the disposal of the said Estates for property sold by them in so far as the same can be made up, to the tenth day of January, 1823.

No. 1. The Gross amount of sales of lands by the Commissioners of Forfeited Estates, to the ninth day of January, 1823, £13,410, 6, 3.

No. 2. The gross amount of Sums actually received by the Commissioners of Forfeited Estates to the ninth day of January, 1823, is £11,996, 12, 11¼.

No. 3. The Gross amount of expenses incurred under the Provincial Statute of 59 Geo. III, Chap. 12, to the ninth day of January, 1823 (exclusive of debentures) is £2,416, 17, 10.

No. 4. The gross amount of payments made by the Special Receiver under debentures to the ninth day of January, 1823, is £921, 4, 3.

No. 5. The gross amount of sums outstanding and due the Commissioners the ninth day of January, 1823, for property sold by them exclusive of interest is £1,637, 3, 6½.

By Order of the Commissioners,
J. B. MACAULEY, Clerk to Commission.

Statement of Lands vested in the Commissioners of Forfeited Estates remaining unsold, 9th January, 1823.

Eastern District.

Township of Osnabruck, 1st Concession, West half of lot 17, 100 acres, forfeited by Jacob Conolly.

Township of Williamsburgh, 5th Concession, part of lot 31, 170 acres, forfeited by Adam Larnger.

Township of Williamsburgh, 5th Con., part of lot 33, 200 acres, forfeited by Benjamin Shell.

Township of Matilda, 5th Con., part of lot 2, 150 acres, forfeited by Daniel Shell.

Township of Matilda, 1st Con., part of lot 28, 6 acres, forfeited by Joseph Brockway.

(The above properties to be sold the 19th day of April next).

Johnstown District.

Township of Yonge, 11th Con., part of lot 6, 63 acres, forfeited by Stephen Scoville; 9th Con., part of lot 8, 200 acres, forfeited by John Wickham; 3rd Con., E. half lot 24, 100 acres, forfeited by James Patterson; 1st Con., part of lot 10, 150 acres, forfeited by James Patterson; 1st Con., part of lot 7, 150 acres, forfeited by James Patterson. (Claimed by D. Mallory, not yet decided).

(The above properties to be sold the 19th April next).

Township of Bastard, 9th Con., part of lot 12, 200 acres, forfeited by Moses Day; 10th Con., part of lot 22, 36 acres, forfeited by S. Lawrence; 9th Con., part of lot 8, 200 acres, forfeited by Anson Herman; 6th Con., part of lot 18, 100 acres, forfeited by Isabel Elsworth; 9th Con., W. half lot 6, and E. half lot 7, 200 acres, forfeited by Ebenezer Knapp.

(To be sold the 19th day of April).

Township of Lansdown. 9th Con. N. half lot 1, 100 acres, forfeited by John Matthews, (claimed by J. Sheldon, not yet decided). 10th con., part of lot 1, 40 acres, forfeited by Ira Sunderland; Con. 10, part of lots 1 and 2, 26 acres, forfeited by Ira Sunderland. (Sale stayed upon prayer of H. Spafford).

(To be sold the 19th day of April next).

Township of Elizabethtown. 9th Con., E. half and rear half of W. half lot 26, 150 acres, forfeited by Sala Blancher; 9th Con., half of 28, 100 acres, forfeited by John Blanchard; 6th Con., front of lot 5, 100 acres, forfeited by Isaac Coon; 4th Con., S. half lot 25, 150 acres, forfeited by Palmer Lee; 4th Con., part of lot 38, 20 acres, forfeited by Elias Peck.

Township of Leeds. 10th Con., lot 16, 200 acres, forfeited by Schill Mitchell; to be sold 19th April.

Township of Kitley. 9th Con., front end of lot 19, 100 acres, forfeited by Jonathan Mott, to be sold 19th April.

Township of Augusta. 5th Con., lot 18, 200 acres, forfeited by J. Throop; to be sold 19th April.

Township of South Crosby. 7th Con., lot 12, 200 acres, forfeited by Elias Champion; 1st Con., N. half lot 13, 100 acres, forfeited by Nathan Mattison, to be sold 19th April.

Township of Crosby. 3rd Con., lot 13, 200 acres, forfeited by Mr. Franklin; to be sold 19th April.

Home District.

Town of York. Half of lot 1, west of George Street, one-quarter acre, forfeited by J. Lockwood.

Township of Whitby. B. front, Con., lots 18 and 19, 450 acres, forfeited by Adam Stephens; 6th Con., lot 4, 200 acres, forfeited by Bela Stevens; 1st Con., S. half lot 23, 100 acres, forfeited by Charles Cole; B. Front, lot 24, 200 acres, forfeited by H. Smith; 1st Con., lot 24, 200 acres, forfeited by T. Nightingale. (Period for claims not yet expired).

Tp. Gwillimbury, 7th Con., lot 3, 200 acres, J. B. Tolman.

Niagara District.

Township of Grantham, 5th Con., lot 14, 200 acres, forfeited by J. McLean, sale stayed on prayer of M. Crooks, Esquire.

District of Gore.

Township of Ancaster, 2nd Con., parts of lots 42 and 46, 50 and 1-8 acres, forfeited by Oliver Grace, to be sold the 19th of April.

Township of Haldimand, Indian Con., leased land, 1,000 acres, forfeited by E. L. Phelps, claimed by his wife, an Indian woman; Indian Con., leased land, 112 acres, forfeited by O. Grace.

London District.

Tp. Oxford, 1st Con., S.E. end of lot 12, 50 acres, forfeited by James James, claimed by T. Andrews, appealed; B. Front, part of lot 6, 50 acres, forfeited by Alexander Graham, a life estate only.

Tp. Delaware, B. Front and 1st Con., N. half of lot 1, 120 acres, forfeited by A. Westbrook, to be sold the 19th of April next.

By order of the Commissioners.

J. B. MACAULEY, Clerk to Commissioners.

Mr. Nichol, seconded by Mr. Gordon, moves that the messages of His Excellency, the Lieutenant Governor, and the Documents transmitted therewith be taken into consideration on Thursday next. Which was ordered.

Mr. Jones of Grenville, from the Committee to wait upon His Excellency, the Lieutenant Governor, with an Address from this house on the subject of the Canada Trade Act and Provinces Union Bill, reported that they had delivered the same, to which His Excellency was pleased to make the following reply:

Gentlemen of the House of Assembly: I shall direct that all such information as it is in my power to afford on the subject of your Address be immediately laid before you.

Mr. Willson of Wentworth gives notice that he will move on Monday next for leave to bring in a Bill to define the manner in which Wooden Stills shall be measured or gauged throughout this Province.

Mr. Nichol, from the Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to amend and extend the provisions of an Act, passed in the second year of His Majesty's Reign, intituled 'An Act to make provision for the improvement of the internal navigation of this Province," and to request their concurrence thereto, reported they had done so.

Mr. Randal, from the Committee appointed to carry up to the Honorable the Legislative Council the Sedition Act Repeal Bill, and to request their concurrence thereto, reported they had done so.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 22nd January, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Clark, a Member returned to serve in this Parliament for the Incorporated Counties of Lenox and Addington, having taken the usual oath, was conducted to his seat.

Mr. Wilmot, seconded by Mr. Randal, moves for leave to bring up the Petition of the Inhabitants of the County of Durham in the Newcastle District. Petition of the Inhabitants of the County of Durham in the Newcastle District. Which was granted, and the petition was laid on the table.

Agreeably to order, the Clerk of the Crown-in-Chancery brought up the Writ and return of Election for the Incorporated Counties of Lenox and Addington.

Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that the Writ of Election and Return of a Member to serve in this Parliament for the Incorporated Counties of Lenox and Addington, be now read. Which was carried, and the Writ and Return were read as follows:

Upper Canada.

P. Maitland.

George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To the Returning Officer of the Incorporated Counties of Lenox and Addington, and to all to whom these Presents shall come, Greeting.

Whereas Barnabas Bidwell was lately returned a Knight for the Incorporated Counties of Lenox and Addington in the Midland District of our said Province for the present assembly summoned to be holden in our Town of York on the twenty-fourth day of July, in the year of Our Lord One thousand eight hundred and twenty, and from thence from time to time prorogued to the twenty-first day of November now last past, and there now holden, and whereas our said Assembly have adjudged the election of the said Barnabas Bidwell to be void, whose seat has thereby become vacant, by means whereof our subjects of our said incorporated Counties of Lenox and Addington are deprived of a Knight to treat for the benefit of the said Incorporated Counties in our said Assembly.

Nevertheless we, being unwilling that the Commonalty of our said Province in our said Assembly to treat of the business concerning us, the state and defence of our said Province, and the Church, from the aforesaid cause should be diminished or lessened, whereby those affairs may not have a due end, we command you that in the place of Barnabas Bidwell, within the Counties aforesaid, one Knight of the said Counties (Proclamation being first made of the premises aforesaid, and of the day and place) freely and indifferently by those who shall be present you cause to be elected, and the name of the said Knight to be inserted in certain indentures to be thereupon made between you and them who shall be present at such election; whether at such election we shall be present or absent, and to cause him to come to the said Assembly, so that the said Knight so to be chosen may have full power and sufficient authority for himself and the commonalty of our aforesaid Counties to do and consent to those things which in our Assembly aforesaid by the Common Council of our said Province by the blessing of God shall happen to be ordained upon the aforesaid affairs.

Willing, nevertheless, that neither you nor any other Returning Officer, Sheriff, Member of the Legislative Council of Our said Province, nor any Minister of the Church of England, nor Minister, Priest, or Ecclesiastical Teacher, either according to the Rites of the Church of Rome or under any other form or profession of Religion, faith or worship in any wise be chosen or elected.

And the election so made distinctly and openly under your Seal and the Seals of those who shall be present at such election certify you to us in our Chancery

forthwith, remitting to us our part of the aforesaid indentures annexed to these presents, together with this Our Writ.

In Testimony Whereof we have caused these our letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed.

Witness our trusty and well-beloved Sir Peregrine Maitland, K.C.B., Lieutenant-Governor of our said Province, and Major General commanding our forces therein at York, this Twelfth day of January, in the year of Our Lord, One thousand eight hundred and twenty-two, and in the second year of Our Reign.

By command of His Excellency, D. Cameron, Sec'y. P. M.

Sam'l P. Jarvis, Cl'k C't Chancery.

This Indenture made the sixteenth day of February, in the year of Our Lord one thousand eight hundred and twenty-two, and in the third year of the Reign of Our Sovereign Lord George the Fourth, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

Between John McLean, Esquire, Returning Officer of the Incorporated Counties of Lenox and Addington, of the one part, and Jacob Hartman, the younger, George Ham, Eli Peters and Gilbert D. Clapp, all of the Incorporated Counties of Lenox and Addington, Esquires, of the other part, Witnesseth that in pursuance of His Majesty's Writ, bearing date the Seventh day of January, in the year aforesaid, at York, in the Province of Upper Canada, after Proclamation thereof made, on the twenty-eighth day of January in the year aforesaid, according to the tenor of the said Writ, we, the said Jacob Hartman the Younger, George Ham, Eli Peters, and Gilbert B. Clapp, Freeholders of the said Incorporated Counties of Lenox and Addington, have chosen Matthew Clark, Esquire, to be Member and Representative to serve the said Incorporated Counties of Lenox and Addington in the Assembly now sitting at York in the Province aforesaid, by these presents (and by these presents) have given and do give unto the said Matthew Clark full and sufficient power for himself and the commonalty of the said Incorporated Counties of Lenox and Addington to do and consent to those things which then and there by the favor of God shall happen to be ordained by the common Council of the said Province.

In Witness Whereof the parties to these presents have interchangeably set their hands and seals the day and year first above mentioned.

Jacob Hartman, Jr., L.S., George Ham, L.S., Eli Peters, L.S., Gilbert D. Clapp, L.S.

John McLean, Ret'g Off'r, Lenox and Addington.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that it be resolved that the Petition of Robert Perry, Jr., and others, Freeholders of the Incorporated Counties of Lenox and Addington, contains grounds and reasons, if true, sufficient to make void the election of Matthew Clark, Esquire. On which debates ensued.

Mr. Nichol, seconded by Mr. Gordon, moves that the debate on the Resolution be adjourned till Friday next. Which was carried.

Agreeably to notice, Mr. Hagerman, seconded by Mr. McDonell, moves for leave to bring in a Bill to alter and amend and extend the provisions of an Act, passed in the fifty-first year of His late Majesty's Reign, relating to damages on Protested Bills of Exchange, and establishing the rate of interest within this Province. Which was granted, and the Bill read.

Mr. Hagerman, seconded by Mr. McDonell, moves that the Bill to amend an Act, passed in the fifty-first year of His late Majesty's Reign relating to damages on Protested Bills of Exchange, be read a second time on Saturday next. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Pattie, moves that it be resolved that a Select Committee be appointed to consider of the existing laws for dividing the Province into Counties and Districts, and to report to the House whether any, and if any, what amendments are necessary to be made thereto. Which was carried.

Mr. Nichol, seconded by Mr. Chisholm, moves that Messrs. Burwell, Ruttan, Wilmot, Walsh, Morris, Crooks, Baldwin and Pattie do constitute the said Committee, and that they have power to send for persons and papers.

In amendment, Mr. Ruttan, seconded by Mr. Wilmot, moves that the names of Messrs. Willson, of Wentworth, and Casey be ordered. Which was lost. The original question was then put and carried.

Agreeably to the order of the day, the Committee on Detailed Accounts was balloted for, and the following Members chosen: Messrs. Nichol, Crooks, Gordon, Baldwin, Hamilton, of Wentworth, Willson, of Wentworth, and Morris.

Agreeably to notice, Mr. Willson of Wentworth, seconded by Mr. Jones of Leeds, moves that it be resolved that it is expedient to employ a Reporter or Reporters to take the debates of Members during the present Session.

In amendment, Mr. Crooks, seconded by Mr. Burwell, moves that all the words after "Resolved" be expunged, and that the following be inserted in their stead, "that the sum of ———— pounds be at the disposal of the Clerk of this House to pay for —— number of newspapers for the use of the Members of this House." Which was carried.

The original question as amended being put, the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Jones (Gren.), Gordon, Nichol, Pattie, Clark (Lincoln), Willson (Went.), Chisholm, Wilmot, Walsh, Hamilton (Linc.), Crooks, Burwell, Gates, Hamilton (Went.), Morris, Hagerman, McDonell, Shaver, Bostwick.

Nays: Messrs. Randal, Peterson, Baldwin, Willson (P. E.), Horner, Clark (Len. and A.), Ruttan.

The question was carried in the affirmative by a majority of thirteen, and ordered accordingly.

Mr. Crooks, seconded by Mr. Willson, of Wentworth, moves that the blank be filled up with the words "one hundred." Which was carried.

Mr. Crooks, seconded by Mr. Burwell, moves that the second blank be filled up with the words "eighty per week." Which was ordered.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor a message with sundry documents, and having withdrawn, the Speaker read the same as follows:

P. Maitland. The Lieutenant Governor transmits to the House of Assembly an extract from a despatch received from His Majesty's principal Secretary of State for the Colonies, in reply to the Joint Address of the Legislative Council and House of Assembly to His Majesty, praying that half pay might be granted to the Officers of the late Incorporated Battalion of Militia. 22nd January, 1822.

Extract from a Dispatch addressed to Major General, Sir Peregrine Maitland, K.C.B., by His Majesty's principal Secretary of State for the Colonies.

"I have laid before the King the Joint Address of the two branches of the Provincial Legislature of Upper Canada, praying that half pay may be allowed to the Officers and Staff of the late Incorporated Battalion of Militia of that Province, transmitted in your letter of the 10th May, wherein you state that his application is founded upon the circumstance of that allowance having been made to the Voltigeurs of Lower Canada, a Corps "similarly constituted" with the Incorporated Battalion of the Upper Province.

In reply I have to observe that an examination into the circumstances under which these two corps were respectively raised has induced me to question the similarity of their constitution, the one a Fencible corps, raised under regular conditions, according to which every officer was called on to raise his quota of men, and for a more extended service; the other the local constitutional force of the Province, whose service could have been demanded if they had not volunteered upon the occasion by a certain proportion of the number.

It is upon this principle of distinction that I do not feel myself authorized to recommend a compliance with the prayer of the Address, and not from any forgetfulness of the gallant conduct of the Corps in question.

Truly Extracted, G. HILLIER,

P. Maitland. The Lieutenant Governor transmits to the House of Assembly an Account of Debentures issued under authority of an Act of the Provincial Parliament, passed in the second year of His Majesty's Reign, Chapter 5.

22nd January, 1823.

P. Maitland. The Lieutenant Governor transmits for the information of the House of Assembly, in compliance with its Address of yesterday, the following papers which he has received from the Commissioners in England, viz.:

A Printed Copy of the Canada Trade Act.

A Copy of the Canadian Government Bill, printed by order of the House of Commons.

Copies of two communications from the Commissioner.

22nd January, 1823.

CAP. cxix. An Act to regulate the trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces.

5th August, 1822.

Whereas it is expedient to make further regulation respecting the trade of the Provinces of Upper and Lower Canada in North America,

Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, that from and after the passing of this Act it shall be lawful to import by land or inland navigation, in any British or American vessel or vessels, boat or boats, carriage or carriages, the goods, wares and commodities, the growth, produce or manufacture of the United States of America enumerated in the schedule or table annexed to this Act marked "A" from any Port or place in the United States of America into any port or place of entry at which a Custom House now is, or hereafter may be lawfully established in either of the Provinces of Upper or Lower Canada, provided always nevertheless, that it shall and may be lawful for the Governor, Lieutenant Governor or person administering the Government of either of the said Provinces respectively, by and with the advice and consent of the Executive Council thereof

for the time being from time to time to diminish or increase by proclamation the number of ports or places which are or hereafter may be appointed in such Province, for the entry of goods, wares and commodities imported from the United States of America.

2nd. And be it further enacted that from and after the passing of this Act there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, for and upon such of the goods, wares and commodities which shall be imported as are enumerated in the table annexed to this Act marked "B," the several duties of Customs as the same are respectively inserted or described and set forth in figures in the said schedule.

3rd. Provided always, and be it further enacted that if upon the importation of any article charged with duty by this Act the said article shall also be liable to the payment of duty under the authority of any colonial law equal to or exceeding in amount the duty charged by this Act then and in such cases the duty charged upon such articles by this Act shall not be demanded or paid upon the importation of such articles. Provided also that if the duty payable under such colonial law shall be less in amount than the duty payable by this Act then and in such case the difference only between the amount of the duty payable by this Act and the duty payable under the authority of such Colonial Laws shall be deemed to be the duty payable by this Act, and the same shall be collected and paid in such and the like manner and appropriated and applied to such and the like uses as the duties specified in the said schedule annexed to this Act marked "B" are directed to be collected, paid, appropriated and applied.

4th. And be it further enacted that the same Tonnage Duties shall be paid upon all American vessels or boats importing any goods into either of the said Provinces as are or may be for the time being payable in the United States of America on British vessels or boats entering the harbours of the State from whence such goods shall have been imported.

5th. And be it further enacted that in all cases in which the duties imposed by this Act upon the importation of articles into the said Provinces or either of them are charged not according to the weight gauge or measure but according to the value thereof such value shall be ascertained in the mode prescribed by an Act passed in this present Session of Parliament intituled "An Act to regulate the trade between His Majesty's Possessions in America and the West Indies and other places in America and the West Indies.

6th. And be it further enacted that if the Importer or Proprietor of such articles shall refuse to pay the duties hereby imposed thereon it shall and may be lawful for the Collector or other Chief Officer of the Customs where such articles shall be imported, and he is hereby respectively required to take and secure the same with the casks or other package thereof and to cause the same to be publicly sold within the space of twenty days at the most after such refusal made and at such time and place as such Officer shall by four or more days public notice appoint for that purpose which articles shall be sold to the highest bidder, and the money arising from the sale thereof shall be applied to the payment of the said duties together with the charges which shall have been occasioned by the said sale, and the overplus (if any) shall be paid to such Importer, Proprietor or any other person authorized to receive the same.

7. And whereas a certain Act made and passed in the twenty-eighth year of the reign of His late Majesty King George the Third intituled "An Act to allow the importation of Rum and other spirits from His Majesty's Colonies or Planta-

tions in the West Indies into the Province of Quebec, without payment of duty under certain conditions and restrictions," has been repealed during the present Session of Parliament, and whereas doubts may be entertained whether a certain other Act passed in the forty-ninth year of His said Majesty's Reign, intituled "An Act to allow the importation of Rum and other spirits from the Islands of Bermuda into the Province of Lower Canada without payment of duty, on the same terms and conditions as such importations may be made directly from His Majesty's Sugar Colonies in the West Indies," might not still remain in force notwithstanding the repeal of the said first mentioned Act, be it therefore enacted and declared that the said last mentioned Act shall be and the same is hereby repealed.

8th. And whereas it is expedient to afford protection to the trade between the said Colonies and Plantations and the Province of Lower Canada by imposing the same duty upon Rum and other spirits, the produce or manufacture of the said Colonies imported from Great Britain into the said Province as is now payable upon the same articles when imported from His Majesty's said Colonies or Plantations in the West Indies, be it therefore enacted that from and after the passing of this Act there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors for and upon every gallon of Rum or other spirits the produce or manufacture of any of His Majesty's Islands, Colonies or Plantations in the West Indies which shall be imported or brought into any part of the said Province of Lower Canada from Great Britain or Ireland or any of the British Dominions in Europe the sum of sixpence over and above all other duties now or hereafter to be made payable thereon in the said Province.

9th. And be it further enacted that the rates and duties chargeable by this Act shall be deemed and are hereby declared to be sterling money of Great Britain, and shall be collected, recovered and paid to the amount of the value which such nominal sums bear in Great Britain, and that such sums may be received and taken according to the proportion and value of five shillings and sixpence to the ounce in silver, and that the said duties hereinbefore granted shall be received, levied, collected, paid and recovered in the same manner and from and by such rules, ways and means and under such penalties and forfeitures as any other duties payable to His Majesty upon goods imported into the said Provinces of Upper and Lower Canada or into either of them respectively are or shall be raised, levied, collected, paid and recovered by any Act or Acts of Parliament as fully and effectually to all intents and purposes as if the several clauses, powers, directions, penalties and forfeitures relating thereto were particularly repeated and again enacted in the body of this Act and that the moneys which shall arise by the said duties (except the necessary charges of raising, collecting, levying, collecting, recovering, answering, paying and accounting for the same) shall be paid by the Collector of His Majesty's Customs into the hands of His Majesty's Receiver General in the said Provinces respectively for the time being and shall be applied to and for the use of the Provinces of Upper and Lower Canada respectively in such manner only as shall be directed by any law or laws which may be made by His Majesty, His Heirs or Successors by and with the advice and consent of the Legislative Council and Assembly of each of the said Provinces respectively.

10th. And be it further enacted that it shall be lawful to export in any British or American vessel or vessels, boat or boats, carriage or carriages, from any of the ports or places of entry now or hereafter to be established in the said Provinces to any port or place in the United States of America any articles of the growth, produce or manufacture of any of His Majesty's Dominions or any other article legally

imported into the said Provinces. Provided always that nothing herein contained shall be construed to permit or allow the exportation of any arms or naval stores unless a license shall have been obtained for that purpose from His Majesty's Secretary of State, and in case any such articles shall be shipped or water borne for the purpose of being exported contrary to this Act the same shall be forfeited and shall and may be seized and prosecuted as hereinafter directed.

11th. And be it further enacted that nothing in this Act contained shall be construed to interfere with or repeal as respects the inland navigation of the said Provinces any of the provisions contained in a certain Act passed in the seventh and eighth years of the reign of King William, intituled "An Act for preventing frauds and regulating abuses in the Plantation Trade," except in so far as the same are altered or repealed by this Act.

12th. And be it further enacted that all penalties and forfeitures incurred in either of the said Provinces under this Act (except where it is otherwise provided) shall and may be sued for and prosecuted in any Court having competent jurisdiction within such Province respectively, and the same shall and may be recovered, divided and accounted for in the same manner and from and by the same rules and regulations in all respects as other penalties and forfeitures for offences against the laws relating to the customs and trade of the said Provinces respectively shall or may by an Act or Acts of the Legislatures of such Provinces be directed to be sued for, prosecuted, recovered, divided and accounted for within the same respectively.

13th. And whereas it is expedient to encourage the trade between Canada and His Majesty's Colonies of Newfoundland, Nova Scotia, New Brunswick, and Prince Edward Island by enabling the merchants and Traders of Newfoundland to export from thence into Canada Rum and other spirits, the produce of the British West India Islands, or any of His Majesty's Colonies on the Continent of South America free of any duty which may have been imposed upon its importation from any of the places last aforesaid, and for which purpose to allow upon the export of such Rum or other spirits a drawback of the full duties paid upon the importation thereof. Be it therefore enacted that from and after the passing of this Act there shall be paid and allowed upon the exportation from any or either of the said Colonies of Newfoundland, Nova Scotia, New Brunswick, or Prince Edward Island into Canada of Rum or other spirits being the produce of the British West India Islands or any of His Majesty's Colonies on the Continent of South America a drawback of the full duties of Customs which may have been paid upon the importation thereof from any of the places last aforesaid into any or either of the said Colonies of Newfoundland, Nova Scotia, New Brunswick or Prince Edward Island upon a certificate being produced under the hands and seals of the Collector and Comptroller of His Majesty's Customs at Quebec, certifying that the said Rum or other spirits have been duly landed in Canada.

14th. And be it further enacted that no entry shall pass nor any drawback be paid or allowed upon the exportation of Rum or other spirits from any or either of the said Colonies of Newfoundland, Nova Scotia, New Brunswick, or Prince Edward Island into Canada unless such entry be made in the name of the real owner or owners, proprietor or proprietors of the said goods, and that before such owner or owners, proprietor or proprietors shall receive the said drawbacks so allowed as aforesaid, one or more of them shall verify upon oath upon the debenture to be made out for the payment of such drawbacks that he or they is or are the real owner or owners of the said goods, nor unless proof on oath shall be made to the satisfaction of the Collector and Comptroller of His Majesty's Customs at the port

from whence the said goods shall be so imported into Canada that the full duties due upon the importation of the said goods at the said port had been paid and discharged. Provided always that in cases where the owners of the said goods are resident in any other part of the British Dominion, it shall be lawful for their known and established agents in the Colonies from whence the said goods shall be so imported into Canada, to take the necessary oaths in behalf of the said owners.

15th. And be it further enacted that the said drawbacks shall be paid by the Collector of His Majesty's Customs at the port from whence the said goods shall be so imported into Canada with the consent of the Comptroller there out of any moneys in his hands arising from the duties of Customs.

16th. And be it further enacted that no drawback shall be paid and allowed as aforesaid unless the said Rum or other spirits shall be duly entered for exportation with the proper officers of the Customs and actually shipped on board the ship or vessel in which the said goods are intended to be exported within the space of one year from the time such Rum or other spirits were originally imported into the Colony from whence it is intended to export them to Canada nor unless such drawbacks shall be claimed within the year after the goods are so shipped for exportation.

17th. And whereas since the division of the Province of Quebec into the Provinces of Lower and Upper Canada, divers regulations have from time to time been made by agreements concluded under the authority of Acts passed by the Legislatures of the said two Provinces respectively concerning the imposing duties on articles imported into the Province of Lower Canada and the payment of drawbacks of such duties to the Province of Upper Canada on account of the proportion of goods so imported into Lower Canada and passing from thence into the said Province of Upper Canada and consumed therein, the last of which agreements expired on the first day of July, one thousand eight hundred and nineteen. And whereas it appears by the Report of the Commissioners last appointed for the purposes aforesaid that the Province of Upper Canada claims certain arrearages from the Province of Lower Canada on account of such drawbacks, which claims are not admitted on the part of the Province of Lower Canada, and it further appears by the Report of the said Commissioners appointed on behalf of both Provinces for the purposes aforesaid that they have failed to establish any regulations for the period beyond the first day of July, one thousand eight hundred and nineteen, by reason that they could not agree upon the proportion of duties to be paid to Upper Canada by way of drawbacks. For remedy of the inconvenience occasioned by the suspension of the said agreement and for the satisfactory investigation and adjustment of the said claims, be it enacted that it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the Government of each of the said Provinces of Upper and Lower Canada so soon as conveniently may be after the passing of this Act to appoint by Commission under the Great Seal of his respective Province one Arbitrator, and that the said Arbitrators so appointed shall have power by an instrument under their hands and seals to appoint a third Arbitrator, and in case of their not agreeing in such appointment within one month from the date of the appointment of the Arbitrators so directed to be made on the part of the respective Provinces or the last thereof if the said appointment shall not be made on the same day, His Majesty, His Heirs or Successors, shall have power by an instrument under his sign manual to appoint such third Arbitrator who (if appointed in manner last mentioned) shall not be an inhabitant of either of the

said Provinces, and that the three Arbitrators so appointed as aforesaid shall have power to hear and determine all claims of the Province of Upper Canada upon the Province of Lower Canada on account of drawbacks or proportion of duties under agreements made and ratified by the authority of the Legislatures of the said two Provinces according to the fair understanding and construction of the said agreements and also to hear any claim which may be advanced on the part of the Province of Upper Canada to a proportion of duties heretofore levied in Lower Canada under British Acts of Parliament, the division of which duties shall not have been embraced within the terms of any provisional agreement, and to report the particulars of any such claim with the evidence thereupon to the Lords Commissioners of His Majesty's Treasury for the time being, and if it shall appear to the Commissioners of His Majesty's Treasury that any sum is justly due from the Province of Lower Canada to the Province of Upper Canada on account of such last mentioned claim they shall signify the same, together with the amount to the Governor or person administering the Government of the Province of Lower Canada for the time being who shall thereupon issue his warrant upon the Receiver General of Lower Canada to pay such amount to the Receiver General of Upper Canada in full discharge of any such claims.

18th. And be it further enacted that the said Arbitrators shall have power to send for and examine such persons, papers and records as they shall judge necessary for their information in the matters referred to them, and that if any person or persons shall refuse or neglect to attend the said Arbitrators or to produce before them any papers or documents having been duly served in either Province, with reasonable notice in writing for that purpose, he, she or they shall forfeit and pay the sum of fifty pounds, to be recovered by Bill, plaint, or information in any court having competent jurisdiction within the Province in which person usually resides to be applied towards the support of the Civil Government of the said Province and to be accounted for to His Majesty through the Lords Commissioners of His Majesty's Treasury for the time being in such manner and form as it shall please His Majesty to direct.

19th. And be it further enacted that the witnesses to be produced before the said Arbitrators if it is desired by either of the said Arbitrators shall or may be sworn before any of His Majesty's Justices of the Peace within either of the said Provinces or before any one of the said Arbitrators who are hereby empowered jointly or severally to administer such oath, and that if any person shall in any such oath so taken as aforesaid wilfully forswear himself he shall be deemed guilty of wilful and corrupt perjury.

20th. And be it further enacted that in case of the death, removal or incapacity of either of the said Arbitrators before making an award or in case the said third Arbitrator chosen or appointed as aforesaid shall refuse to act another shall be appointed in his stead in the same manner as such arbitrator so dead, removed or become incapable or refusing to act as aforesaid was originally appointed, and that in case a third Arbitrator shall be appointed by His Majesty as hereinbefore mentioned it shall and may be lawful for the Governor in Chief in and over the said Provinces to determine the amount of remuneration to be paid to such Arbitrators, which amount shall be defrayed in equal proportions by each Province and shall be paid by warrant to be issued for that purpose by the Governor, Lieutenant Governor, or person administering the Government of each Province upon the Receiver General thereof respectively.

21st. And be it further enacted that the award of the majority of the said Arbitrators so far as the same shall be authorized by this Act shall be final and conclusive as to all matters therein contained, and that if either of the Arbitrators nominated by the Governor, Lieutenant Governor or person administering the Government of either of the said Provinces shall refuse or neglect to attend on due notice being given the two remaining Arbitrators may proceed to hear and determine the matters referred to them in the same manner as if he were present.

22nd. And be it further enacted that the said Arbitrators or a majority of them as hereinbefore mentioned shall certify the award to be made by them in the premises under their hands and seals to the Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland and to the Governor, Lieutenant Governor or person administering the Government of each of the said Provinces, and if any sum be directed by the said award to be paid to the Province of Upper Canada by the Province of Lower Canada it shall and may be lawful for the Governor, Lieutenant Governor or person administering the Government of the said Province of Lower Canada and he is hereby required to issue his warrant upon the Receiver General of the Province of Lower Canada in favor of the Receiver General of the Province of Upper Canada for the sum so awarded which sum shall be accordingly paid by the Receiver General of Lower Canada in discharge of such warrant and shall be accounted for by him to the Lords Commissioners of His Majesty's Treasury for the time being in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

23rd. And be it further enacted that the arbitrators to be appointed under this Act shall have power to hear and determine any claim which may be advanced on the part of Lower Canada upon the Province of Upper Canada being of the same description as those which by this Act may be preferred to the same arbitrators on the part of Upper Canada, and that their award thereupon shall be final and conclusive and shall be carried into effect, if the same be made, in favor of the Province of Lower Canada, in the same manner as is herein directed with respect to any award which may be made in favor of the Province of Upper Canada.

24th. And be it further enacted that of all duties which have been levied in the Province of Lower Canada since the first day of July, one thousand eight hundred and nineteen, under any Act passed in the said Province upon any goods, wares, merchandise or commodities imported by sea into the Province of Lower Canada and also of all duties which after the passing of this Act and before the first day of July, one thousand eight hundred and twenty-four, shall be levied in the Province of Lower Canada under any Act passed in the said Province upon any goods, wares, merchandise or commodity imported by sea into the said Province of Lower Canada the Province of Upper Canada shall be entitled to have and receive one-fifth part as the proportion of duties arising and due to the said Province of Upper Canada upon such importations and that the Governor, Lieutenant Governor or person administering the Government of the Province of Lower Canada shall and may issue his warrant forthwith upon the Receiver General of Lower Canada in favor of the Receiver General of Upper Canada for such proportion of the duties as shall have been received in the Province of Lower Canada before the passing of this Act and shall and may on the first day of January and the first day of July in each and every year thereafter issue his warrant upon the Receiver General of Lower Canada in like manner for the payment to the Receiver General of Upper Canada of such sum as may be then ascertained to be due on account of the said proportion according to the provisions of this Act.

25th. And be it further enacted that immediately after the said first day of July, one thousand eight hundred and twenty-four, the proportion to be paid to Upper Canada for the four years next succeeding of duties levied in the Province of Lower Canada under the authority of any Act or Acts passed or to be passed therein upon goods, wares and commodities imported therein by sea shall be and may be ascertained by the award of arbitrators to be appointed in the same manner and with the same powers as hereinbefore provided with respect to the Arbitrators to whom the question of arrears is to be referred and that Arbitrators shall in like manner be appointed and an award made once after every four years thereafter for the purpose of establishing such proportion from time to time and all and every the provisions contained in this Act respecting the appointment powers and remuneration of the Arbitrators to be first appointed after the passing thereof and regarding the execution of their duty shall apply and extend to the Arbitrators to be appointed for the purposes last mentioned.

26th. And be it further enacted that after the said first day of July, One Thousand Eight Hundred and Twenty-four, and until a new proportion of duties to be paid to Upper Canada shall be established as hereinbefore provided and also at all times hereafter in default of any such proportion being appointed the proportion of duties last assigned to be paid to Upper Canada under the authority of this Act shall continue to be paid by the Province of Lower Canada and Warrants shall issue for the payment of the same in the same manner as for the period before the same first day of July, One thousand eight Hundred and Twenty-four; provided always that it shall be in the power of the arbitrators nevertheless by their subsequent award to alter such proportion for the period which was last established if it shall appear just to them to do so.

27th. And whereas by a certain Act of the Parliament of Great Britain passed in the fourteenth year of His late Majesty's Reign, intituled "An Act to establish a fund towards further defraying the charges of the Administration of Justice and Support of the Civil Government within the Province of Quebec in America" certain duties were imposed upon goods and commodities imported into the said Province which duties are by the said Act directed to be applied under the authority of the Lord High Treasurer or Commissioners of His Majesty's Treasury in making a more certain and adequate provision towards defraying the expense of the Administration of Justice and the Support of the Civil Government in the said Province of Quebec into the Provinces of Upper and Lower Canada it has been contended on behalf of the said Province that the proceeds of such duties should be distributed between the said two Provinces in proportion to the amount of expenses defrayed by each respectively towards the Administration of Justice and the Support of its Civil Government and not in proportion to the estimated consumption within either Province of the articles upon which such duties shall have been paid.

Be it therefore enacted that it shall be lawful for the Arbitrators to be appointed from time to time for the purpose of establishing the proportion which shall be paid to Upper Canada of such duties as now are or may hereafter be imposed by Acts passed in the Province of Lower Canada to receive the claims in behalf of each Province with respect to its proportion of duties levied upon the said Acts passed in the fourteenth year of His said late Majesty's Reign since the expiration of the last Provincial Agreement heretofore ratified between the said two Provinces or which may hereafter be levied under the authority of the said Act upon goods and commodities imported into Lower Canada and to report

the same with the evidence thereon to the Lords Commissioners of His Majesty's Treasury for the United Kingdom of Great Britain and Ireland for the time being in order that they may make such orders respecting the proportion in which the same shall be expended within each of the said Provinces respectively for the purposes mentioned in the said Act as to them shall seem meet provided always nevertheless that unless such order shall be made by the Lords Commissioners of His Majesty's Treasury as aforesaid the proceeds of such duty shall be distributed in the same proportion between the said two Provinces as the duties levied under the Provincial Acts of the Province of Lower Canada within the same period subject nevertheless to be increased or diminished as respects either of the said Provinces by any subsequent order of the said Lords Commissioners extending to the period for which no order has before been made.

28th. And whereas the division of the Province of Quebec into the two Provinces of Upper and Lower Canada was intended for the common benefit of His Majesty's subjects residing within both of the newly constituted Provinces and not in any manner to obstruct the intercourse or prejudice the trade to be carried on by the inhabitants of any part of the said late Province of Quebec with Great Britain or with other countries and it has accordingly been made a subject of mutual stipulation betwen the said two Provinces in the several agreements which have heretofore subsisted that the Province of Upper Canada should not impose any duties upon articles imported from Lower Canada but would permit and allow the Province of Lower Canada to impose such duties as they might think fit upon articles imported into the said Province of Lower Canada of which duties a certain proportion was by the said agreement appointed to be paid to the Province of Upper Canada. And whereas in consequence of the inconveniences arising from the cessation of such agreement as above recited it has been found expedient to remedy the evils now experienced in the Province of Upper Canada and to guard against such as might in future arise from an exclusive control by the Legislature of Lower Canada over the imports into and exports out of the Port of Quebec and it is further expedient in order to enable the said Province of Upper Canada to meet the necessary charges upon the ordinary revenue and to provide with sufficient certainty for the support of its Civil Government to establish such control as may prevent the evils which have arisen or may arise from the Legislature of Lower Canada suffering to expire unexpectedly or repealing suddenly and without affording to Upper Canada an opportunity of remonstrance existing duties upon which the principal part of its revenue and the necessary maintenance of its government may depend. Be it therefore enacted that all and every the duties which at the time of the expiration of the last agreement between the said Provinces of Upper and Lower Canada were payable under any Act or Acts of the Province of Lower Canada on the importation of any goods, wares or commodities into the said Province of Lower Canada except such as may have been imposed for the regulation of the trade by land or inland navigation between the said Province and the United States of America shall be payable and shall be levied according to the provisions contained in any such Acts until any Act or Acts for repealing or altering the said Duties or any part thereof respectively shall be passed by the Legislative Council and Assembly of the said Province of Lower Canada, and until such Act or Acts repealing or altering such duties shall after a copy thereof has been transmitted to the Governor, Lieutenant Governor or person administering the Government of the Province of Upper Canada be laid before both Houses of the Imperial Parliament according to the forms and provisions contained in a certain Act of the

Parliament of Great Britain, passed in the thirty-first year of the Reign of His said late Majesty intituled "An Act to repeal certain parts of an Act, passed in the Fourteenth year of His Majesty's Reign, intituled An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province," and the Royal assent thereto proclaimed within the Province of Lower Canada according to the provisions of the said last mentioned Act.

29th. And be it further enacted that from and after the passing of this Act no Act of the Legislature of the Province of Lower Canada whereby any additional or other duties shall or may be imposed on articles imported by Sea into the said Province of Lower Canada and whereby the Province of Upper Canada shall or may in any respect be directly or indirectly affected shall have the force of law until the same shall have been laid before the Imperial Parliament as provided in certain cases by the said Act passed in the thirty-first year of His said late Majesty's Reign and the Royal assent thereto published by Proclamation in the said Province of Lower Canada, a copy of such Act having within one month from the time of presenting the same for the Royal assent in the said Province been transmitted by the Governor, Lieutenant Governor or person administering the Government of the Province of Lower Canada to the Governor, Lieutenant Governor or person administering the Government of the Province of Upper Canada. Provided always nevertheless that it shall not be necessary to transmit any such Act to be laid before the Imperial Parliament if before the same shall have been presented for the Royal assent within the said Province of Lower Canada the Legislative Council and House of Assembly of the said Province of Upper Canada shall by Address to the Governor, Lieutenant Governor or person administering the Government of the said Province of Upper Canada pray that their concurrence in the imposition of the duties intended to be imposed by such Act may be signified to the Governor, Lieutenant Governor or person administering the Government of the said Province of Lower Canada.

30th. And whereas it is expedient that the productions of Upper Canada should be permitted to be exported without being made subject by any Act of the Province of Lower Canada either directly or indirectly to duties or impositions on their arrival in that Province or in passing through the waters thereof be it enacted that from and after the passing of this Act all and every the boats, scows, rafts, cribs and other craft belonging to any of His Majesty's subjects and coming from the Province of Upper Canada into the Province of Lower Canada not laden with the productions of any foreign country shall be allowed freely to pass into and through the said Province, and shall not be subject to any rate, tax, duty or imposition other than any charge which may now exist for pilotage or which may now be established for toll at any lock or other work now actually erected on the navigable waters thereof any law, statute or usage of the Province of Lower Canada to the contrary notwithstanding, and that the expense of improving the navigation of the waters of the River St. Lawrence shall in future be defrayed by such measures and in such proportions as the arbitrators to be appointed under the provisions of this Act shall determine upon the prayer of either Province, provided always that no such determination shall be carried into effect until sanctioned and enacted by the Legislatures of both of the said Provinces.

31st. And whereas doubts have been entertained whether the tenures of lands within the said Provinces of Upper and Lower Canada holden in fief and seigniory can legally be changed, and whereas it may materially tend to the

improvement of such lands and to the general advantage of the said Provinces that such tenures may henceforth be changed in manner hereafter mentioned, be it therefore further enacted and declared that if any person or persons holding any lands in the said Provinces of Lower and Upper Canada or either of them in fief or seigniory and having legal power and authority to alienate the same shall at any time from and after the commencement of this surrender the same into the hands of His Majesty, His Heirs or Successors, and should by Petition to His Majesty or to the Governor, Lieutenant Governor or person administering the Government of the Province in which the lands so holden shall be situated set forth that he, she or they is or are desirous of holding the same in free and common soccage, such Governor, Lieutenant Governor or person Administering the Government as aforesaid in pursuance of His Majesty's instructions transmitted through his Principal Secretary of State for Colonial affairs and by and with the advice and consent of the Executive Council of such Province shall cause a fresh grant to be made to such person or persons of such lands to be holden in free and common soccage in like manner as lands are now holden in free and common soccage in that part of Great Britain called England, subject nevertheless to payment to His Majesty by such Grantee or Grantees of such sum or sums of money as and for a commutation for the fines and other dues which would have been payable to His Majesty under the original tenures and to such conditions as to His Majesty or to the said Governor, Lieutenant Governor or person Administering the Government as aforesaid shall seem just and reasonable. Provided always that on any such fresh grant being made as aforesaid no allotment or appropriation of lands for the support and maintenance of a Protestant Clergy shall be necessary, but every such fresh grant shall be valid and effectual without any specification of lands for the purpose aforesaid, any law or statute to the contrary thereof in any wise notwithstanding.

32nd. And be it further enacted that it shall and may be lawful for His Majesty, His Heirs and Successors, to commute with any person holding lands at *cens et rentes* in any censive or fief of His Majesty within either of the said Provinces and such persons may obtain a release from His Majesty of all feudal rights arising by reason of such tenure and receive a grant from His Majesty, His Heirs or Successors, in free and common soccage upon payment to His Majesty of such sum of money as His Majesty, his Heirs and Successors may deem to be just and reasonable by reason of the release and grant aforesaid, and all such sums of money as shall be paid upon any commutations made by virtue of this Act shall be applied towards the Administration of Justice and the support of the Civil Government of the said Province.

33rd. And be it further enacted that if any person or persons shall be sued or prosecuted for anything done or to be done in pursuance of this Act such person or persons may plead the general issue and give this Act and the special matter in evidence, and if the plaintiff or plaintiffs, prosecutor or prosecutors shall become non-suit or forbear the prosecution or discontinue his, her or their action or if a verdict shall pass against him, her or them the defendants shall have treble costs and shall have the like remedy for the same as in cases where costs are by law given to defendants.

Schedules to which this Act refers.

Schedule "A."

Asses.	Furtick and all sorts of wood for Dyers' use.
Barley.	
Beans.	Flour.

Biscuit.
Bread.
Beaver and all sorts of Fur.
Bowsprits.
Calavances.
Cocoa.
Cattle.
Cochineal.
Coin and Bullion.
Cotton Wool.
Diamonds and Precious Stones.
Drugs of all sorts.
Flax.
Fruit and vegetables.
Masts.
Mules.
Meat cattle.
Oats.
Peas and potatoes.
Poultry, pitch.
Rye.
Rice.
Staves.
Skins.
Wheat.
Grain of any sort.
Garden seeds.
Hemp.
Heading Boards.
Horses.
Hogs.
Hydes.
Hay.
Hoops.
Hard wood or mill timber.
Indigo.
Livestock of any sort.
Lumber.
Logwood.
Mahogany and other wood for cabinet wares.
Shingles.
Sheep.
Tar tallow.
Tobacco.
Turpentine.
Timber.
Tortoise shell.
Wool.
Yards.

Schedule "B."

	£	s.	d.
Barrel of wheat flour not weighing more than 196 lbs. net weight	0	5	0
Barrel of Biscuit not weighing more than 196 lbs., net weight	0	2	6
For every cwt. of biscuit	0	1	6
For every 100 lbs. of bread made from wheat or other grain imported in bags or packages	0	2	6
For every barrel of flour not weighing more than 196 lbs. made from rye, peas or beans	0	2	6
For every bushel of peas, beans, rye, or calavances.....	0	0	7
Rice, for every 100 lbs., net weight	0	2	6
For every 1,000 shingles, called Boston chips, not more than 12 inches in length	0	7	0
For every 1,000 shingles, being more than 12 inches in length	0	14	0
For every 1,000 red oak staves	1	1	0
For every 1,000 feet of white oak staves or headings	0	15	0
For every 1,000 feet of white or yellow pine lumber	1	1	0
For every 1,000 feet of pich pine lumber	1	1	0
Other kinds of wood and lumber per 1,000 feet	1	8	0
For every 1,000 wood hoops	0	5	3
Horses, for every £100 of the value thereof	10	0	0
Meat cattle, for every £100 of the value thereof	10	0	0
All other live stock, for every £100 of the value thereof	10	0	0

"A"

BILL.

As amended by the Committee for uniting the Legislatures of the Provinces of Lower and Upper Canada.

Preamble.

Whereas in the present situation of the Provinces of Lower and Upper Canada as such with relation to Great Britain as to each other a Joint Legislature for both the said Provinces would be more likely to promote their general security and prosperity than a separate legislature for each of the said provinces as at present by law established.

Be it therefore enacted by the King's most excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same that so much of an Act, passed in the thirty-first year of the Reign of His late Majesty King George the Third, intituled "An Act to repeal certain parts of an Act, passed in the fourteenth year of His Majesty's Reign, intituled An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province as provides for the composing and constituting within each of the said Provinces respectively a Legislative Council and Assembly and for the passing of laws by the Legislative Council and Assembly of each Province" shall be and the same is hereby repealed except in so far as the same or any of the provisions thereof may by this present Act be continued or applied to the purpose of the Joint Legislature to be constituted in manner to be hereafter mentioned; provided also that so much of an Act, passed in the fourteenth year of the reign of said late Majesty, intituled "An Act for making more effectual provision for the Government of the Province of Quebec in North America" as is repealed by the said Act, passed in the thirty-first year aforesaid shall be deemed and taken to be and shall remain repealed.

And be it further enacted that from and after the passing of this Act, there shall be within the said two Provinces and for the same jointly one Legislative Council and one Assembly, to be composed and constituted in manner hereinafter described, and which shall be called the Legislative Council and Assembly of the Canadas, and that within the said Provinces or either of them His Majesty, His Heirs or successors, shall have power during the continuance of this Act by and with the advice and consent of the said Legislative Council and Assembly of the Canadas to make laws for the peace, welfare and good government of the said Provinces or either of them, such laws not being repugnant to this Act nor to such parts of the said Act, passed in the thirty-first year aforesaid as are not hereby repealed, and that all such laws being passed by the said Legislative Council and Assembly and assented to by His Majesty, His Heirs or Successors, re-assented to in His Majesty's name by the Governor in Chief in and over the said Provinces of Lower and Upper Canada or in case of the death or absence of such Governor in Chief, by the Lieutenant Governor of the Province of Upper Canada for the time being, or in case of the death or absence of such Lieutenant Governor then by the Lieutenant Governor of Lower Canada for the time being, or in case there shall be no Lieutenant Governor at such time resident in the Province of Lower Canada, then by the person administering the Government thereof for the time being shall be and the same are hereby declared to be by virtue of and under the authority of this Act valid and binding to all intents and purposes whatever within the said two Provinces.

And be it further enacted that the present Members of the Legislative Councils of Lower and Upper Canada shall by virtue of this Act and without any new or other commissions for that purpose constitute together the Legislative Council of the Canadas, which said Members shall take precedence in the Joint Legislative Council according to the date of the instruments by which they were originally summoned to the Legislative Council of the two Provinces respectively, and that it shall also be lawful for His Majesty, his Heirs or Successors, from time to time by an instrument under his or their signed manual to authorize and direct the said Governor in Chief or in case of his death or absence such other person and in such order respectively as is hereinbefore directed to summon to the said Legislative

Council by an instrument under a seal to be transmitted by His Majesty to the Governor in Chief or under any other seal which the said Governor in Chief shall be by His Majesty directed to use for the purpose of this Act, and which shall be called the Great Seal of the Canadas, and shall be applied only to the purposes directed by this Act, such other person or persons as His Majesty, his Heirs or Successors, shall think fit, and that every person who shall be so summoned to the said Legislative Council shall thereby become a Member thereof.

And be it further enacted that such persons only shall be summoned to the said Legislative Council as by the said above mentioned Act, passed in the thirty-first year aforesaid, are directed to be summoned to the Legislative Council of the said two Provinces respectively; and that every member of the said Legislative Council shall hold his seat for the same term and with the same rights, titles, honors, ranks dignities, privileges and immunities and subject to the same provisions, conditions, restrictions, limitations and forfeitures and to the same mode of proceeding for hearing and determining by the said Legislative Council all questions which shall arise touching the same as are in the said Act passed in the thirty-first year aforesaid mentioned and contained with respect to the Members thereby directed to be summoned to the Legislative Council of the two Provinces respectively.

And be it further enacted that the Governor in Chief, or in case of his death or absence such other person and in such order respectively as is hereinbefore directed shall have power and authority from time to time by an instrument under the Great Seal of the Canadas to constitute, appoint, and remove the Speaker of the said Legislative Council.

And be it further enacted that the Members at present composing the Assemblies of the said two Provinces shall, together with such new Members as shall or may be returned for either of the said Provinces respectively in manner hereinafter mentioned, form and constitute the Assembly of the Canadas, and shall be and continue until the first day of July, one thousand eight hundred and twenty-five, unless sooner dissolved, and that in case of a dissolution of the said Assembly or of vacancies occurring therein, Members shall be returned from the same Counties and places and in the same manner and in the same numbers, except as hereinafter otherwise provided, as now by law they are returned within the two Provinces respectively.

And whereas an Act was passed by the Provincial Legislature of Upper Canada in the sixtieth year of the Reign of His said late Majesty, intituled "An Act for increasing the representation of the Commons of this Province in the House of Assembly," be it therefore further enacted that the said Act and all the provisions therein contained, except as hereinafter otherwise provided, shall remain in full force and effect and shall be applied to the representation of the said Province of Upper Canada in the Joint Assembly in like manner as the same were applicable to the representation thereof in the Assembly of the said Province of Upper Canada before this Act was passed.

And be it further enacted that it shall and may be lawful for the Governor, Lieutenant Governor or person administering the Government of the said Province of Lower Canada for the time being, from time to time as he shall judge expedient from and out of that part of the said Province of Lower Canada which has been erected into Townships since the number of representatives for the said Province was settled by Proclamation to form new Counties by instrument or instruments under the Great Seal of the said Province each such new County to consist of not less than six Townships, and that when and so often as any such new County shall

be formed and erected as aforesaid, the Governor, Lieutenant Governor, or person administering the Government of the said Province of Lower Canada shall issue a writ for the election of one member to serve for the same in the Assembly, and that whenever the said Governor, Lieutenant Governor, or person administering the Government, as aforesaid, shall deem it expedient that any such new County or any County heretofore erected within the said Province of Lower Canada and at present represented by only one Member shall be represented by two Members, he shall in like manner issue writs for that purpose, provided always that no subdivision of any Counties now erected or to be hereafter erected within either of the said Provinces, except as hereinbefore provided with respect to the said Townships, shall extend or be construed to extend to increase the number of Representatives for such Counties; provided also that the number of Representatives for each Province shall not exceed sixty.

And be it further enacted that no Act by which the number of Representatives of either Province shall be altered shall hereafter be passed by His Majesty by and with the Advice and consent of the said Legislative Council and Assembly unless the same shall have been passed by two-thirds at least of the Members present at the question for the second and third reading of the same in the said Legislative Council and Assembly respectively.

And be it further enacted that all and every the provisions and regulations respecting the appointment and nomination duties, privileges and Liabilities of Returning Officers for either of the said Provinces respectively, and respecting the eligibility, qualifications and disability of persons to sit as Members in the said Assembly or to vote on the election of such Members and respecting any oath to be taken by candidates or votes at such elections and respecting all other such proceedings at such elections and respecting the times and places of holding such elections as are contained in the said above-mentioned Act, passed in the thirty-first year aforesaid, except in so far as the said provisions and regulations are hereby in any wise altered shall remain and continue in force in both of the said Provinces and that all and every the provisions and regulations respecting the objects above enumerated or any of them which are contained in any Act or Acts of the Provincial Legislatures which are now in force in either of the said Provinces respectively shall remain and continue in force within such Province except as the same are hereby in any ways altered until otherwise provided for by the Joint Legislature.

And be it further enacted that when and so often hereafter as it may be necessary to summon and call together a new Assembly for the said two Provinces it shall and may be lawful for the said Governor in Chief or in case of his death or absence then for such other person and in such order respectively as is hereinbefore directed by an instrument under the said Great Seal of the Canadas to summon and call together the said Assembly as hereinafter expressed and provided.

And be it further enacted that writs for the election of Members to serve in the said Assembly shall be issued by the Governor, Lieutenant Governor, or person administering the Government of the Province within which such Members shall be chosen respectively and in the same manner and directed to the same officers and returnable within the same period as in and by the said Act made and passed in the thirty-first year aforesaid is directed and provided.

And be it further enacted that on the first general election of Members for the said Assembly which shall take place from and after the passing of this Act and on all subsequent elections whether general or for particular places in cases of vacancy which shall be holden in either of the said Provinces, no person shall be capable of

being elected who shall not be legally possessed to his own use and benefit of lands and tenements within one or other of the said Provinces of the value of five hundred pounds Sterling over and above all rents, charges and encumbrances which may affect the same, such lands and tenements being by him held in freehold in fief or in roture, and that every candidate at such election before he shall be capable of being elected shall, if required by any other candidate or by the Returning Officer, take an oath in following form or to the following effect.

I, A. B., do swear that I am legally and bona fide possessed to my own use and benefit of lands and tenements within the Province of ....., Canada, of the value of ..... Sterling over and above all rents, charges and encumbrances which may affect the same, and that the said lands and tenements are by me held in freehold in fief or in rotures (as the case may be) and that I have not attained the same fraudulently for the purpose of enabling me to be returned Member to the Assembly of the Canadas, and also that I am otherwise qualified according to the provisions of law to be elected and returned to serve as a Member thereof.

Provided always that nothing in this Act contained shall be construed to affect any Act now in force in either of the said Provinces respectively relating to the qualifications other than as respects property of any candidate or voter at elections.

And be it further enacted that if any persons shall knowingly and wilfully take a false oath respecting his qualification either as a candidate or voter at any election as aforesaid and shall thereof be lawfully convicted, such person shall be liable to the pains and penalties by law inflicted on persons guilty of wilful and corrupt perjury in the Province in which such false oath shall have been taken.

And be it further enacted that whenever hereafter any question shall arise touching the validity of the election or return of any person in either Province to serve in the Assembly, such questions shall be tried in the Joint Assembly according to the mode of proceeding now established by law in that Province in which the disputed election or return shall have been made until a uniform course of proceeding shall be duly established for both Provinces.

And be it further enacted that it shall and may be lawful for the Governor in Chief, or in the case of his death or absence then for such other person and in such order respectively as is hereinbefore directed, if at any time he shall deem it expedient to summon and authorize by an instrument under his hand and seal two Members of the Executive Council of each Province to sit in every Assembly with power of debating therein and with all other powers, privileges and immunities of the Members thereof except that of voting.

And be it further enacted that the said Legislative Council and Assembly shall be called together for the first time at some period not later than the first day of September One Thousand Eight Hundred and Twenty-Four, and once afterwards in every twelve calendar months, and that the said Governor in Chief or in case of his death or absence such other person and in such order respectively as is herein before directed shall and may convene the first and every other session of the said Legislative Council and assembly at such places within either Province and at such times under the restrictions aforesaid as he shall judge most conducive to the general convenience, giving due and sufficient notice thereof and shall have power to prorogue the same from time to time and to dissolve the same by Proclamation or otherwise whenever he shall deem it necessary or expedient.

And be it further enacted that every assembly hereafter to be summoned and chosen shall continue for five years from the day of the return of the writs for

choosing the same and no longer, subject nevertheless to be sooner prorogued or dissolved by the said Governor in Chief or in case of his death or absence by such other person and in such order respectively as is hereinbefore directed.

And be it further enacted that all questions which shall arise in the said Legislative Council and Assembly except in the cases herein otherwise provided shall be decided by the majority of voices of such members as shall be present, and that in all cases where the voices shall be equal the Speaker of such Council or Assembly shall have a casting voice.

Provided always, and be it further enacted, that no Member either of the Legislative Council or Assembly shall be permitted to sit or vote therein until he shall have taken and subscribed the oath prescribed for that purpose by the said Act passed in the thirty-first year aforesaid before a person duly authorized to administer the same as in and by the said Act is directed.

And be it further enacted that any Bill which shall be passed by the Legislative Council and Assembly shall be presented for His Majesty's assent to the said Governor in Chief or in case of his death or absence to such other person and in such order respectively as is hereinbefore directed who shall according to his direction declare or withhold His Majesty's assent to such Bill, or reserve such Bill for the signification of His Majesty's pleasure thereon; subject always to the same provisions and regulations with respect to Bills which may either be assented to or from which His Majesty's Assent may be witholden or which may be reserved as aforesaid as the case may be as in and by the said Act passed in the thirty-first year aforesaid are contained and enacted with regard to such Bills respectively.

And be it further enacted that all Laws, Statutes or Ordinances which are in force at the time of the passing of this Act within the said Province or either of them or in any part thereof respectively shall remain and continue to be of the same force, authority and effect in each of the said Provinces respectively as if this Act had not been made except in so far as the same are repealed or varied by this Act or in so far as the same shall or may be hereafter by virtue of and under the authority of this Act repealed or varied by His Majesty, His Heirs or Successors by and with the advice and consent of the said Legislative Council and Assembly.

And be it further enacted that all rights, privileges, immunities and advantages which are at present legally exercised and enjoyed by the Members of the Assemblies of Lower and Upper Canada respectively shall continue to be exercised and enjoyed by them as Members of the said Assembly of the Canadas in as full and as ample a manner as heretofore; provided always that no privilege of the said Legislative Council or of the said Assembly shall extend to or be construed to extend to authorize the imprisonment of any of His Majesty's Subjects not being Members of the said Legislative Council or of the said Assembly or officers or servants of the said bodies respectively until an Act be passed declaratory of the rights and privileges of the said Bodies in this respect.

And be it further enacted that from and after the passing of this Act all written proceedings of what nature so ever of the said Legislative Council and Assembly or of either of them shall be in the English Language and none other, and that at the end of the space of fifteen years from and after the passing of this Act all debates in the said Legislative Council or the said Assembly shall be carried on in the English language and none other.

And whereas by the said Act of the Imperial Parliament of Great Britain made and passed in the fourteenth year aforesaid, intituled "An Act for making more effectual provision for the Government of the Province of Quebec, in North

America," it was amongst other things declared that His Majesty's Subjects professing the religion of the Church of Rome of and in the said Province of Quebec might have held and enjoyed the free exercise of the said religion subject to the King's supremacy as in the said Act mentioned and that the Clergy of the said Church might hold, receive and enjoy their accustomed dues and rights with respect to such persons only as should profess the said religion.

Be it therefore further enacted and declared that nothing in this Act contained nor any Act to be passed by the said Joint Legislature nor any Resolution or other proceeding of the said Legislative Council or Assembly shall in anywise affect or be construed to affect the free exercise of the religion of the Church of Rome by His Majesty's Subjects professing the same within either of the said Provinces, but the same may continue to be exercised and the Clergy of the said Church and the several Curates of each respective parish of the said Province of Lower Canada now performing the clerical duties thereof or who shall hereafter with the approbation and consent of His Majesty expressed in writing by the Governor, Lieutenant Governor or person administering the Government of the said Province of Lower Canada for the time being be thereto duly collated, appointed or inducted may continue to hold, receive and enjoy their accustomed dues and rights in as full and ample manner to all intents and purposes as heretofore and as is provided and declared by the said last mentioned Act.

And be it further enacted that all provisions, regulations and restrictions made and imposed by the said Act passed in the thirty-first year aforesaid with respect to any Act or Acts containing any provisions of the nature therein particularly mentioned and specified shall and the same are hereby declared to extend and apply to each and every Act which shall be passed by the said Legislative Council and Assembly, and which shall contain any provisions of the nature in and by the said last mentioned Act set forth and specified.

And be it further enacted that all and every the accounts, returns, papers and documents which by any Act now in force in either Province are directed to be laid before the Legislature thereof respectively shall under the penalties therein provided be in like manner transmitted and laid before the Legislature of the Canadas during the continuance of such Acts.

And be it further enacted that the Officers and other persons receiving salaries or allowances in respect of services rendered by them in the Legislatures of their respective Provinces shall continue to receive such salaries and allowances as heretofore until otherwise provided for by any Act which shall be passed by His Majesty, His Heirs or Successors with the advice and consent of the Legislative Council and Assembly of the Canadas.

(Copy) LONDON, May 16th, 1822.

Sir: I have the honor to report to you for the information of His Excellency the Lieutenant Governor, that having arrived in London on Saturday the 22nd March, I delivered at the Colonial Office on Monday, the 24th March, the letters and dispatches with which I was charged, and wrote to Earl Bathurst the letter marked "A". Mr. Wilmot, the Under Secretary of State for the Colonies wrote immediately to request I would call upon him the next day, which I did, and Earl Bathurst appointed Wednesday, the 28th March, for receiving the Address and Report of the Legislative Council and Assembly. I accordingly presented them on that day to His Lordship.

From that time I had repeated interviews with Mr. Wilmot, and on the 4th April addressed to him the letter marked "B" and was requested to attend the next day at the Colonial Office in company with Mr. Caldwell, the Receiver General of Lower Canada, and a Member of the Legislative Council there, and with Mr. Marshal, the Solicitor General of that Province, and I was desired to prepare the heads of a Bill such as I conceived would provide fairly for adjusting the differences between the two Provinces, and submitted to those gentlemen that they might on the part of Lower Canada make such objections or remarks in writing as they might think proper. The late period of the Session of Parliament made it desirable that no time should be lost, and on the 7th April I delivered to Mr. Caldwell and Mr. Marshal the paper marked "G".

Their remarks were submitted to my perusal, but no copy has been communicated to me. They did not indeed offer any material objection to the substantial provisions of the Bill I had proposed.

Not long after Mr. Caldwell showed me the Resolutions which were passed in the Assembly of Lower Canada at the close of their last Session respecting the claims of Upper Canada, and which His Excellency has no doubt seen. In reply to the statements and position advanced in these resolutions, and also to the remarks made by Mr. Caldwell and Mr. Marshall, I addressed to Mr. Wilmot the letter marked "D". At the desire of Earl Bathurst I also had fifty copies of the Report of the Legislature of Upper Canada, with the appendix, printed, and placed them at His Lordship's disposal.

Having, at the request of Earl Bathurst and of Mr. Wilmot, been present at several conferences at the Colonial Office, in which the union of the two Provinces, or rather of their Legislatures, was proposed and discussed, I communicated freely my opinions upon the probable consequences of such a measure, and gave information upon the several points on which I was interrogated.

That I might not be misunderstood I addressed a letter to Mr. Wilmot ("E") communicating a statement of my sentiments upon the contemplated union of the Legislatures for the consideration of Earl Bathurst, with whom I had soon afterwards a personal interview on the subject; and His Majesty's Government, having, after the fullest consideration, determined to propose to Parliament a Bill for giving a Joint Legislature to the Canadas, I found I could not render a more effectual service to Upper Canada, after a determination had been come to on this important measure, which I was neither instructed to solicit nor to oppose, than by using my best endeavors that the union to be effected in such a manner as would most securely guard the interests of Upper Canada, and be most likely to promote its future welfare.

The Bill which has been prepared for that purpose is now under the consideration of the Law Officers of the Crown, and notice of it will be given in Parliament immediately. I will send it to you as soon as it is printed, and would transmit a manuscript copy now, but that it is uncertain, of course, until the Law Officers have made their report whether it will be brought in in its present shape. I send you the heads shortly extracted, and I have reason to believe that the Bill will be passed during this Session, very nearly in its present form, as from various considerations unconnected with the financial questions between the two Provinces the expediency of giving them an united Legislature seems so strongly impressed on the minds of all persons here, and His Majesty's Government in particular appears to consider it so desirable for many reasons that I have little doubt an Union would have been at all events proposed during the present Session of Parliament,

and I cannot but consider myself fortunate to have had it in my power at so critical a moment to afford such information and intercede for such provisions on the part of Upper Canada as I hope will best secure its interests and promote its prosperity under the great change contemplated.

I have the honor to be, Sir,

Your most obedient humble servant,

JNO B. ROBINSON.

To Major Hillier,

Secretary to His Excellency, Sir P. Maitland, K. C. B., Lieut. Gov., &c.

(Copy "A") 56 GOWER ST., BEDFORD SQUARE,

March 24th, 1822.

My Lord: I have the honor to acquaint Lour Lordship, that having been commissioned by His Excellency the Lieutenant Governor of Upper Canada to present to His Majesty a Joint Address of the Legislative Council and House of Assembly of that Province upon the subject of its financial relations with Lower Canada, I shall be happy to have the honor of waiting upon Your Lordship with the same at any time Your Lordship may think proper to appoint.

I have also committed to my charge several dispatches and letters of Sir Peregrine Maitland to Your Lordship, which, together with the Rolls of the last Session of the Legislature of Upper Canada I have left at Your Lordship's Office.

I have the honor to be, My Lord, Your Lordship's Most obedient Servant,

JNO. B. ROBINSON.

To the Rt. Hon. the Earl Bathurst, &c.

(Copy "B") LONDON, 56 Gower Street,

April 4th, 1822.

Sir: In the different interviews with which you have so obligingly honored me, the contemplated provisions for regulating generally the commerce of the Canadas have come alone into discussion. These are of a nature deeply interesting to both Provinces, and the principles on which they are founded clearly manifest the most indulgent and liberal spirit on the part of His Majesty's Government towards the Colonists. No duty can be more pleasing to me as an inhabitant of Upper Canada than to give any information, and contribute any assistance in framing these provisions which my knowledge of its local interests may enable me. At the same time I cannot forbear to represent that a Bill of the kind proposed would go a very little way in removing any of the difficulties in which Upper Canada is at present involved with respect to its Revenue, and would not apply at all to some of the most material points on which the Legislature have now a second time most earnestly sought the interposition of His Majesty and the Imperial Parliament, as the only means of indemnity against the injuries which they represent the Province to have sustained from Lower Canada and the only hope of protection against the recurrence of the evils to which it has been exposed, by its state of dependence on the Legislature of another Colony.

I was unwilling to interrupt the consideration of the general measures under discussion by pressing the particular points last alluded to till time had been afforded you to give the Address and Report which I had the honor of submitting to Earl Bathurst to the gracious consideration of His Majesty, nor should I do so now but that I am desirous that you should bear these subjects in mind, either as connected

with or distinct from the proposed Bill, in time to avail yourself of every information which the discussion of that Bill may afford you an opportunity of obtaining.

I need not at present recapitulate the different subjects on which the Legislature of Upper Canada have preferred their Petition to His Majesty, looking anxiously but confidently forward to the just interposition of His Majesty and the Imperial Parliament in adjusting its financial relations with Lower Canada, as the only means of rescuing its Government from the immediate disgrace of a Public Bankruptcy, and of providing for its future support. They are fully and explicitly stated in the Report which accompanies the Address, and their proof rests principally upon matters of public record, and on other documents to which that Report expressly refers.

I shall be happy to attend at whatever time you may do me the honor to appoint, to give any additional explanation.

I have the Honor to be, Sir,

JNO B. ROBINSON.

His Majesty's Under Secretary of State for the Colonies, &c.

"C."

Clauses for adjusting the present claims of Upper Canada on the Lower Province, and providing for the future regulation of the intercourse between the two Provinces, proposed to be inserted in the Canada Bill after the clauses for the general regulation of the Canada trade.

And whereas since the division of the Province of Quebec into the Provinces of Upper Canada and Lower Canada, divers regulations have from time to time been made by agreements entered into under the authority of Statutes passed by the Legislatures of the said two Provinces respectively, concerning the imposing of duties upon articles imported into the Port of Quebec in the Province of Lower Canada, and the payment of drawbacks of such duties to the Province of Upper Canada on account of the proportion of goods so imported into Quebec and passing from thence into the said Province of Upper Canada, the last of which agreements expired on the first day of July, 1819. And whereas it appears by the Report of the Commissioners last appointed on behalf of both Provinces to treat for the purpose aforesaid that the Province of Upper Canada claims certain arrearages from the Province of Lower Canada, for drawbacks of divers duties levied under Acts of the Parliament of Great Britain and of the Said Province of Lower Canada on goods and commodities entered at the Port of Quebec and afterwards imported into the Province of Upper Canada and consumed therein, which claim is not admitted on the part of the Province of Lower Canada. And it further appears by the said Report that the Commissioners last appointed for the purposes aforesaid have failed in establishing any regulation for the future, by reason that they could not agree upon the proportion of duties to be paid to Upper Canada by way of drawbacks on the goods consumed therein; for remedy of the inconvenience occasioned thereby, and for the satisfactory investigation and adjustment of the said claim, be it enacted, &c., that it shall and may be lawful for the Governor, Lieutenant Governor or person administering the Government of each of the said Provinces of Upper and Lower Canada respectively so soon as conveniently may be after the passing of this Act to appoint by Commission under the Great Seal of their respective Province one Arbitrator, who together with a third Arbitrator, to be named and appointed in like manner by the Governor, Lieutenant

Governor or person administering the Government of the Province of Nova Scotia or New Brunswick, and to be a subject of His Majesty, inhabiting the said Province of Nova Scotia, &c., shall have power to hear and determine all claims of the Province of Upper Canada upon the Province of Lower Canada under the several agreements heretofore subsisting between the said two Provinces since the division of the Province of Quebec, and alleged to be unperformed according to the fair understanding and construction of the said agreements, and also all claims of the said Province of Upper Canada on account of any matter not embraced within the same.

Add clauses that the opinion of the majority shall decide.

That if either of the Arbitrators appointed for Lower or Upper Canada fails to attend on due notice being given for that purpose the other two may meet and determine.

Power to administer Oaths.

Power to send for witnesses.

Copies of the award under the hands and seals of the Arbitrators to be transmitted to the Governors of Upper and Lower Canada, and to the Lords Commissioners of His Majesty's Treasury.

In case of death of either Arbitrators before decision the Governor of the Province for which he was appointed may commission another.

The Commissioner from the Province of ..... to be remunerated at the joint charge of the Provinces of Upper and Lower Canada in such amount as the Governor of that Province may appoint.

If any sum be awarded to be paid to Upper Canada the Governor of Lower Canada may issue his warrant upon the Receiver General of Lower Canada in favor of the Receiver General of Upper Canada for the amount.

An Appeal to lie to the Committee of the Honorable Privy Council for Trade and Plantations if either Province should be dissatisfied.

I should not object to the last provision, but do not desire it on the part of Upper Canada.

And be it further enacted, &c., that of all duties which have been levied in the Province of Lower Canada since the first day of July, 1819, upon any goods, wares, merchandise or commodities imported by sea into the said Province of Lower Canada, and also of all duties which after the passing of this Act and before the first day of January, 1824, shall be levied in the Province of Lower Canada upon any goods, wares, merchandise or commodities imported by sea into the said Province of Lower Canada, the Province of Upper Canada shall be entitled to have and receive one part as the proportion of duties arising and due to the Province of Upper Canada upon such importations.

And be it further enacted, &c., that the Governor, Lieutenant Governor, or person administering the Government of the Province of Lower Canada shall and may issue his Warrant forthwith in favour of the Receiver General of the Province of Upper Canada for such proportion of the duties received in the Province of Lower Canada before the passing of this Act and shall and may on the first day of January and the first day of July in each and every year thereafter until after the first day of January, 1824, issue his warrant in like manner for the payment of such sum as may be then due on account of the said proportion.

And be it further enacted, &c., (clause for establishing the proportion to be paid after 1st January, 1824, by arbitration) upon the same principles as that for determining the question of arrears with an appeal to the Committee of Privy

Council or by the Lords of the Treasury or Privy Council in the first instance on hearing the representations and evidence of both parties, such proportion to be ascertained every four years.

And whereas the division of the Province of Quebec into the two Provinces of Upper and Lower Canada was intended for the common benefit of His Majesty's Subjects residing within both of the newly constituted Provinces, and not in any manner to obstruct the intercourse or prejudice the trade to be carried on by the Inhabitants of any part of the said late Province of Quebec with Great Britain or with other countries, and it has accordingly been made a subject of mutual stipulation between the two Provinces in the several agreements which have heretofore subsisted, that the Province of Upper Canada should not impose any duties upon articles imported from Lower Canada, but would permit and allow the Province of Lower Canada to impose such duties as they might think fit upon articles imported into the said Province of Lower Canada, of which duties a certain proportion was by the said agreements provided to be paid to the Province of Upper Canada. And whereas in consequence of the cessation of such agreements as above recited it is necessary to protect the Province of Upper Canada from any evils which might arise from the exercise of an exclusive control by the Legislature of Lower Canada over the imports and exports into and out of the Port of Quebec, and it is further expedient in order to enable the said Province of Upper Canada to provide with sufficient certainty for the support of its Civil Government, and for other permanent and necessary charges upon its Revenue, to establish such control as may prevent the Legislature of Lower Canada from repealing suddenly and without affording to Upper Canada an opportunity of remonstrance, existing duties upon which the principal part of such Revenue may depend, be it therefore enacted, &c., that all, any, and every the duties which at the time of the expiration of the last agreement between the said Provinces of Upper and Lower Canada were payable under any Act or Acts of the Province of Lower Canada, on the importation of any goods, wares or merchandise into the Port of Quebec, shall be payable and levied until the Act or Acts imposing the same or any of them shall be repealed by an Act or Acts of the said Province of Lower Canada; and until such Act or Acts repealing such duties shall, after a copy of the same has been transmitted to the Governor of the Province of Upper Canada, be laid before both Houses of the Imperial Parliament according to the forms and provisions contained in the Act of the Parliament of Great Britain passed in the thirty-first year of His late Majesty's Reign, intituled, &c., and the Royal assent thereto proclaimed within the Province of Lower Canada according to the provisions of the said last mentioned Act.

And be it further enacted, &c., that from and after the passing of the Act no Act of the Legislature of the Province of Lower Canada whereby any additional or other duties shall or may be imposed on articles imported by sea into the said Province of Lower Canada shall have the force of law until the same shall have been laid before the Imperial Parliament as provided for in certain cases by thirty-first Geo. III, Chap. 31, and His Majesty's assent thereto published by proclamation in the said Province of Lower Canada, a copy of such Act having within ——————from the passing of the same been transmitted to the Governor of the Province of Upper Canada.

Provided always nevertheless that it shall not be necessary to transmit any such Act to be laid before the Imperial Parliament, if the concurrence of the Province of Upper Canada therein shall be signified (in the manner to be specified in this Act).

(Note accompanying the foregoing draft.)

I have made up with as much connection as I could in so short a time the substance of the different provisions which I have already proposed on the part of Upper Canada.

To reduce them properly to detail will require more particular consideration, but the heads I have given will show, I hope, with sufficient precision the nature of the different enactments which appear to me necessary to place the two Provinces on a fair footing with respect to each other in matters of trade and revenue. It is impossible to say that in proceeding with the detail more eligible modes may not suggest themselves of obtaining the same ends with equal justice to both Provinces, and it is very probable that additional precautions may be found necessary to give effect to the measures proposed, but I am willing to be understood that I have no intention to urge on behalf of Upper Canada any measure distinct in principle from those embraced in this sketch, unless it occurs to me in time to admit of my giving Mr. Caldwell notice of it before his departure.

(Signed) JNO. B. ROBINSON.

April 7th, 1822.

"D."

(Copy.)

56 Gower Street, April 18. 1822.

Sir,—Mr. Caldwell has very politely directed my attention to the *Courier* Newspaper of Friday last, in which are some resolutions passed by the Assembly of Lower Canada in their Last Session respecting the questions between the two Provinces of Canada on the subject of Revenue.

"That the right of Upper Canada with respect to goods, wares and merchandise imported into Lower Canada or exported therefrom consists only of a right of passage through the said Province of Lower Canada, or depends on conventional arrangements between the two Provinces," is a position which, if admitted, would do nothing to obviate the difficulties which occasion the present embarrassments of Upper Canada because as far as respects the alternative of conventional arrangements the very hardship complained of is that there is none in force to regulate the present or to provide for the future intercourse between the two Provinces, that Lower Canada omitted through a period of nearly two years to appoint Commissioners to treat, and that when Commissioners were appointed for that purpose they were not authorized, as they declared, to look into the past, and would accede to no terms which our Commissioners could possibly concur in for the time to come. Upon the remaining part of the Resolution, namely, the abstract position that Upper Canada has no other claim but to a right of transit of goods through the lower Province, I beg to observe that Upper Canada has not only a right of transit, but of a *free* transit, that is relieved from any duties which may have been imposed upon such goods on their entrance into Lower Canada, and that such a right has been uniformly recognized by every Provisional Agreement since the division of the Province. It is conceived, indeed, that Upper Canada has even claims beyond this in respect of goods which have paid a duty at Quebec under the 14th Geo. III, as well as under Provincial Enactments, are consumed in neither Province, but are exported to the United States of America. These claims, though of inferior moment, are urged in the Report which I have had the honor to present, and the reasons stated on which they are grounded.

But if the claim of Upper Canada were confined to the right of free transit of such goods *as her inhabitants consume*, the express declaration of the last

Commissioners appointed by Lower Canada would deprive her of that right, for they unequivocally declare in writing to our Commissioners, that "they will agree to no other arrangement than that each Province shall collect its own Revenue, and that they will pay us no drawbacks." But the duties imposed by the 14th Geo. III. will continue to be levied on importations at Quebec, and no doubt the legislation of Lower Canada will always add to these duties others of their own, therefore if they will henceforth pay no drawbacks to Upper Canada, whatever revenue we should attempt to raise from European Merchandise as it comes into our Province can only be obtained by imposing duties *in addition* to those already levied on the same articles when they arrive at the Port of Quebec, of which we are to receive no drawback, and over which we are to have no control.

Upon the remaining Resolutions I beg to remark that the claims of Upper Canada upon the Lower Province are grounded principally upon former Provisional Agreements, which it is contended have not been complied with, and proof is offered to substantiate claims under them to a very considerable amount. Lower Canada, on the other hand, denies, though not in positive terms, that such claims exist. It is submitted that Arbitrators can best decide this question, but it is moreover conceived that beyond these claims under agreements unperformed there may exist others equally clear and just, which those agreements ought not to preclude, unless they are such as the Commissioners who formed the agreements were authorized to adjust, and did in fact consider.

The agreement entered into at Quebec on the 7th June, 1817, between the Commissioners of Upper and Lower Canada, which by these Resolutions is not recognized as valid, related only to the payment of a particular sum of £1,585, on account of arrearages claimed by Upper Canada, and is wholly unimportant as to any question remaining now to be considered. It was so far sanctioned by the Legislature of Lower Canada that they passed an Act appropriating the sum to Upper Canada which was ascertained by that agreement, and I cannot conceive for what purpose a question is now raised about it, for it is but a portion of what is claimed, and was neither expressed nor pretended to be in satisfaction of the claims of Upper Canada, but quite the contrary.

As to the assertion contained in the Resolutions that the proportion of goods imported into Lower Canada has materially diminished since the last Agreement in 1817, it is fully met and particularly considered in the Report of the Legislative Council and Assembly of Upper Canada, and documents are appended to that Report which clearly substantiate whatever is advanced in it on that head.

Upon the last Resolution it is only necessary to observe that it could scarcely have been anticipated by Upper Canada that the Legislature of the Lower Province would delay for so long a period the appointment of Commissioners to renew the consultation, and that after they had by that omission subjected us to so great inconvenience, it seemed not an unreasonable expectation that they would proceed to ascertain the proportion by the means which had been last resorted to rather than aggravate the evils of delay by the unforeseen requisition of a mass of evidence of past transactions, which no precaution or expense which Upper Canada could have employed would have rendered satisfactory, and which it was well known at the time it was demanded could not possibly be obtained.

In truth the attempt to take an Account of all the goods which passed from one Province into the other had been abandoned by both Provinces as impracticable, and it is not singular that we had not without the aid of the necessary Officers for that purpose, persevered in a system which it was found could not be carried into effect while those officers existed, and which had therefore been discontinued.

It is true that the Commissioners of Upper Canada would not consent to the mode proposed of ascertaining the proportion of duties to be paid since the expiration of the last Agreement, because they represented and proved that the mode was impracticable, and that the result could not be satisfactory. All this appears in the Report of the last Commissioners, but I am enabled to show that sufficient evidence was in fact collected by one of the Commissioners of Upper Canada in conjunction with one from Lower Canada to prove at least the right to more than the proportion contended for, and in the face of that evidence such proportion was nevertheless refused.

I have only to add that these Resolutions of the Assembly of Lower Canada are wholly silent on a most important point, and that with respect to the past claims of Upper Canada they suggest no means and hold forth no prospect of their adjustment, while nearly the whole of our Revenue for the last three years is detained in their treasury. These resolutions, it is also to be observed, were adopted by the Legislature of Lower Canada after a knowledge of every point upon which the Province of Upper Canada has intreated the interposition of His Majesty and the Imperial Parliament, for the Legislature of Upper Canada prayed His Excellency Sir Peregrine Maitland to transmit to the Government of Lower Canada, for the information of the Legislature of that Province then in Session, a copy of the Address to His Majesty, and of the Report which I have had the honor to present to Earl Bathurst, and I know that these papers were transmitted long before these resolutions are stated to have been passed.

The remarks made by Mr. Caldwell and Mr. Marshall upon some of the enactments proposed by me for placing on a just footing the financial concerns of the two Provinces do not affect the most material of these provisions, and the points they involve are so particularly adverted to in the Report I have presented, and in this paper, that I need not at present urge anything further on them. I can only observe that nothing can be more mistaken than to deny the claims of Upper Canada to a just proportion of the duties levied under the British Statute of 14 Geo. III. The annual vote of the British Parliament pays only some specified salaries; it defrays but a part, and not the greater part, of the expense of administering justice and supporting Civil Government within the Province of Upper Canada. How can it then be proposed that Upper Canada shall remain embarrassed from want of funds to meet these objects, while upon the articles she consumes duties are paid at Quebec which are expressly appropriated to that purpose, but which it is now contended are to be wholly expended in Lower Canada?

If it should appear to you that any of the points urged by the Legislature of Upper Canada are in themselves questionable, or are rendered so by any statements or arguments advanced by the other side, I shall be much obliged by having an opportunity afforded me of further explanation.

I have the honor to be, etc., JOHN B. ROBINSON.

To R. WILMOT, ESQ.,
Under Sec. State for the Colonies, etc.

"E."

(Copy.) LONDON, 56 Gower Street,
April 23rd, 1822.

Sir: The measure of uniting the two Provinces of Canada on which you did me the honor to confer with me in company with Mr. Osgoode and Mr. Ellice, and also

with the Solicitor General of Lower Canada, is one of so great moment to those Colonies, and involves so many considerations, that I feel it due to myself to place before His Majesty's Government in writing what has occurred to me on the subject, though I should do little more than repeat what I have before stated in conversation.

You will oblige me by laying before Earl Bathurst the paper which accompanies this Letter, in which I have taken the liberty to state plainly such views of the subject as my acquaintance with the situation of Upper Canada and my opinion of the interest and wishes of His Majesty's subjects there lead me to entertain.

Having submitted to the consideration of Earl Bathurst proposed measures for placing the two Canadas on a fair footing with respect to each other without any reference to any union of the two Provinces, and having now ventured to state explicitly my sentiments upon the expediency of such an union, I have only to add that I shall be most happy to afford any further information or explanation in my power, and that whatever cause His Majesty's Government may determine to adopt upon consideration of the different measures proposed, I shall be equally ready to aid it by any service of mine which can be useful, entirely persuaded both by the very liberal policy about to be extended to the Canadas with respect to their trade, and by the patient attention which has been given to the different points. I am instructed to urge that the prosperity of those Provinces is earnestly desired by His Majesty, and that no measure will be decided on but in the fullest conviction that it is the one most likely to ensure their security and welfare.

I have the honor to be, etc.,

(Signed) JNO. B. ROBINSON.

To R. WILMOT, ESQ.,
etc., etc.

Considerations upon the expediency of giving an United Legislature to the two Provinces of Canada by an Act to be passed during the present Session:

The reasons which led to the division of the Province of Quebec were that the inhabitants of the two portions of the Province now forming Upper and Lower Canada differed in language and religion, and had been accustomed to different systems of jurisprudence. These reasons remain not materially weakened in any respect, for the accession to the population of Upper Canada by emigration since the division has been almost entirely of persons strangers to the French Laws and Languages, and principally of the Protestant Faith, while in Lower Canada the inhabitants are at this moment in the proportion it is stated of nineteen in twenty composed of Canadian French.

Whatever weight, therefore, was due to these arguments for a separation at the time it took place is yet undiminished, and it may be added that the subsequent general dispersion of population through a territory, the extremes of which are from twelve to fifteen hundred miles asunder, furnishes an argument of inconvenience against uniting them now under one Legislature, which probably did not exist in a sufficient degree to form an inducement for the separation.

Those circumstances, however, though entitled to consideration as materially affecting the welfare and convenience of the two Provinces, whose increase in population and opulence it is desirable to facilitate by giving them the most convenient form of Government for their local wants, are none of them, it must be confessed, of that paramount nature that they ought to stand in the way of the proposed union if it be clear that such union is necessary to increase the value of those

Colonies to the Mother Country, or to provide in the most effectual manner for their own security and welfare.

For my own part, I do not know in what manner any of these ends is to be expected to be answered by the proposed union.

The Provinces have gone on hitherto advancing by very rapid strides in population and improvement, their inhabitants well satisfied with the footing on which their Government was placed by the 31st Geo. III., Chap. 31, and sensible themselves of no evil or inconvenience arising out of the system established by that Statute as far as my knowledge extends, except that within these last four years difficulties have arisen in adjusting the proportions of duties and regulating the commercial intercourse between the two Provinces, which matters had hitherto been managed by amicable arrangements, but which it has now been found necessary to refer to the decision of the Imperial Parliament an exigency forseen as the probable consequence of the separation when the 31st Geo. III. was passed, and for which a power providing a remedy by the intervention of British Acts is in terms reserved by the Statute.

If, however, although the legal and constitutional right of the Imperial Parliament to control both Provinces in these respects is undoubted, these difficulties between them with respect to their commercial and financial relations cannot in point of fact be adjusted in any other manner than by an union of Legislatures, that would of itself be sufficient reason, for while the points are unsettled the Governments and Legislatures of both Provinces are subject to being involved in irritating discussions, which may tend to much evil, and, what is more immediately pressing, the Province of Upper Canada is absolutely unable, for want of the funds which remain locked up in the Treasury of Lower Canada, to pay her creditors, or to support the current expenses of her Government.

But I must declare I see no reason for supposing that an union of the Legislatures is required on this ground, for I submit, in the first place, that such an union would by no means get rid of the principal point of disagreement—the claims of Upper Canada for the past. Those claims must necessarily remain, the amount must be ascertained, and their payment to Upper Canada provided for by some Act of the British Parliament, notwithstanding an union, and indeed as far as respects the claims of Upper Canada for duties already received to her use and to be expended, when paid, solely for her benefit, some difficulty as regards the exclusive appropriation of them would be created by an union. Then in regard to the future regulation of the intercourse between the two Colonies, the measures humbly prayed for on the part of Upper Canada are such as it is conceived no reasonable objection can be raised against.

At all events the Imperial Parliament can well judge of their expediency and whether they are such as both Provinces ought to be content to acquiesce in, and if either Province be not patient under regulations exacted by a sense of justice due to the other, it will then, I submit, be time, as far as the desired end is concerned, to remedy those difficulties, to project an union as the only other method of attaining a necessary object.

Believing then, as I certainly do, that an union is not absolutely necessary on this ground, it is next to be considered whether there is anything in the present situation of the two Provinces which calls for a measure so important in its nature, and which may not be attended with circumstances of particular inconvenience to each. In remarking upon the inducements which occur to me I can only speak hypothetically, for it may be that His Majesty's Government are induced to the

contemplation of an union by considerations of policy altogether different from those which present themselves to me.

I know that the Legislature of Lower Canada have refused to make provision for the expenses of administering Justice and supporting the Civil Government of their Province in any other manner than by an annual vote, a system of proceeding to which His Majesty's Government objects as being contrary to the spirit of that constitution of which they are ready to avail themselves of the privileges, and as placing every Officer of the Civil Government, even those entrusted with the administration of Justice, in a state of the most dangerous dependence upon the pleasure of the popular branch of the Legislature. I am aware, too, that the greatest embarrassments are felt in conducting the Government of that Province from the refusal of the Assembly to place the Civil Establishment on any other footing.

There may no doubt be other points also on which the Assembly of Lower Canada, consisting principally of people of French extraction and Catholics, exhibit at least an indifference to objects which in a British Colony it is desirable to advance, and cherish prejudices which confine them to a narrow line of policy and make them hostile to improvements which would advance the welfare of the Colony, and render it a more important part of the British Dominions.

Of these inconveniences it is impossible to say decidedly until they are more specifically pointed out, and how far they might be expected to be removed by an union of the Legislatures, but as to that first mentioned, namely, the embarrassment felt at present in Lower Canada from the refusal of the Legislature to make a more permanent provision for the Civil List, I confess that I do not see that it would be removed by such a measure, for, supposing the Canadas to be joined according to their present scale of representation, if every Member from Upper Canada should consent to a permanent provision for the Civil List, it would still not be carried, and, without expressing any opinion upon the question as it now stands in Lower Canada, I do not by any means think it safe to anticipate that the Members from Upper Canada would generally support the provision in the terms in which it was required to be made. As to any inconvenience that may be felt from the entire preponderancy of a French Canadian interest in the Legislature of Lower Canada, I do not see that certainty of their being counteracted by an union is either near enough or clear enough to make it advisable on that ground.

It would be long before the influence of the Members from Upper Canada would be an over-ruling influence, and I think it doubtful whether, when it did become so, they would be disposed to exert it in changing the internal municipal policy of the other Province, contrary to the wishes of nine-tenths of its inhabitants, and which, whether wise or not, was endeared to them by so long use, and had been so far respected by the British Nation that they had hitherto been left to change it or retain it as they might prefer.

That an union of the Provinces might add to their strength by producing a more perfect community of interest and feeling, by subjecting their Militia to an uniform system of discipline, and by means of placing their means of defence against a foreign enemy more conveniently and effectually at the disposal of the Government, that it might in time by the gradual operation of the natural consequences of such an union make the whole Colony more completely British in their custom of laws, in their education, in their feeling, and in the general temper of all their public acts; that it would produce an uniform regulation of trade throughout the territory, and insure the interest of every part being made subservient to the welfare of the whole; and that it would necessarily put an end to all future

difficulties about duties and drawbacks, by sharing amongst all the enjoyment of that in which they have all an interest, are general advantages, which, though some of them are rather indefinite as to the extent, and uncertain as to the period in which they might be felt, might, I think, be rationally expected. On the other hand I am doubtful of the prudence of disturbing the present system of things in the prospect of those rather indefinite and distinct advantages, and at the hazard of the inconveniences which have suggested themselves to me, and which I will shortly state.

At present things are proceeding pleasantly and prosperously in Upper Canada. In Lower Canada they are not, but I do not think an union would remove in the least the difficulties existing there, and it might have the bad effect of involving the one Province in the troubles of the other.

The number of Representatives in Upper Canada is at present less than in the Lower Province, and would no doubt continue so for many years. The latter consist, with very few exceptions, of Canadian French, and I am apprehensive that an union of the two Provinces would be regarded with such extreme jealousy and repugnance by the great body of the people in Lower Canada that on future occasions they would even more studiously endeavour to exclude Englishmen from their Assembly, and confine their confidence to those who would sedulously guard their old system of things from innovation; and for many years I fear the people of Upper Canada would find it difficult to obtain any appropriation of Revenue to the purposes of public improvement within their Province, or to gain sufficient attention to their local interests from an Assembly of whom the greater number would be unfriendly to their religion and unacquainted with their laws, and jealous of their influence. If these consequences should follow they would retard the now rapidly increasing prosperity of Upper Canada at the most critical moment. Perhaps the apprehension is groundless—I state merely my own impression. Upper Canada, it is true, contains at present a much less population than the Lower Province, the one having been just settled by Europeans only forty years ago, and the other more than two hundred; but it is well known that in extent of land capable of cultivation, in the excellence of its soil and climate, and consequent capability of production, the former possesses almost unrivalled advantages; and it would be much to be lamented that these should be prevented from developing themselves by being placed under the control of persons little acquainted with our agricultural interests, and even averse to the system of tenures and laws under which the Province has so surprisingly flourished.

That it would be controlled, at least for many years to come, I take to be certain, especially if the Legislature should be convened at Montreal, for I fear in the present state of Upper Canada it would be difficult to find gentlemen who could so completely abandon their own pursuits as to attend an annual Legislative Session of three months at so great a distance from their homes. It could not be expected that the attendance of Members from the Upper Province would be by any means so numerous, even in proportion, as from Lower Canada, and I see great reason to apprehend that in any question in which the interests of the two Provinces may come into competition—such for instance as the proportion of Revenue to be expended in Upper Canada—there would be little chance for some time to come of a fair decision. I fear this the more from the conviction that the masses of the people of Lower Canada would feel extreme annoyance at the Union, looking upon it as a scheme to give the English population the ascendency, and would be for some time little disposed to unite cordially with us, forgetting all distinctions.

It perhaps deserves also to be considered how far it is politic upon National grounds to unite two Colonies now distinct, thereby involving on all occasions the politics of one with the other, giving to them the means of making common cause in any unfortunate dissentions which might arise, and rendering any disagreement a cause of irritation and of difficulty in two Governments, whereas it otherwise might but affect the tranquility of one.

Several other considerations of less importance naturally suggest themselves in weighing the probable consequences of an union of Legislatures. My desire has been to state such as appeared most worthy of notice, and in doing this I beg not to be misunderstood as presuming to speak the sentiments of the Government or of the Legislature of Upper Canada, for I am neither authorized nor prepared to state their opinions upon the expediency of an union, which was never, within my knowledge, contemplated by either.

The Representations from that Province with which I am charged were not intended, I am certain, to point specifically to that end; and, indeed, the measures which I have taken the liberty of proposing, and which are under the consideration of His Majesty's Government, are wholly of a different nature; I cannot pretend even to say how far an union would be agreeable to the people of Upper Canada generally. I have reason to think the majority of their present Representatives are unfavourable to it, from a conviction that it would not be beneficial, though some of the body, for whose opinion I have every respect, think otherwise.

I will take the liberty of remarking further, that the Act by which the Province of Quebec was divided, and the present separate Governments established, was the result of great and long deliberation, and if the change of system so matured should prove disagreeable to the inhabitants of both or either of the Provinces, it may be expected that they will feel more deeply in proportion as it may appear to have been hastily decided upon, and without an opportunity having been afforded them of making known their sentiments. The people of Canada have ever been treated by Great Britain with a mildness and a degree of parental indulgence that would make them the more sensible of any apparent want of consideration even of their feelings.

Another matter occurs to me, upon which it is necessary to guard against any erroneous impression. The French inhabitants of Lower Canada, I am firmly persuaded, are as peaceably disposed, as much inclined to submit to authority, and as loyally attached to the British Government as any portion of His Majesty's subjects; and whatever troubles their representatives may give by refusing to make a permanent provision for the Civil List, or upon questions of Revenue, or of any kind between themselves and the Executive Government, is not to be ascribed to the preponderance of French influence over the English, but to that desire which is found in all Assemblies to assert to the utmost the share of power which they think the Constitution gives them; a disposition which I think the descendants of English, Irish and Scotch will be found as likely to persevere in as the descendants of Frenchmen.

It is not my desire by anything I have said to lead to a conclusion that the Legislatures should not be united, unless that inference shall appear to be the sound deduction from the considerations I have stated; I have set down what presented itself on both sides, anxious only that the decision may be made on sure grounds, and not framed upon erroneous conceptions or expectations which are not likely to be fulfilled.

A true Copy. (Signed) G. HILLIER.

(Copy.) LONDON, August 27, 1822.

Sir: I have the honor to report to you for the information of His Excellency the Lieutenant Governor that the Bill which His Majesty's Government had determined previously to my letter to you of the 16th May last to propose to the Parliament, and of which I communicated to you the heads, was submitted to the Law Officers of the Crown, whose consideration of it necessarily occupied some time, and retarded its introduction; and the Secretary of State for the Colonies having in the meantime deemed it advisable to incorporate with this Bill the provisions for regulating the inland intercourse of the Canadas with the United States of America, which the change of system lately adopted with respect to the trade of the British Colonies rendered necessary, a further delay was occasioned and near the end of the month of May the Bill embracing these regulations of trade, and the several enactments of which I had sent you the heads, was brought into the House of Commons by Mr. Wilmot, the Under Secretary of State for the Colonies.

The extreme pressure of business before Parliament occasioned the postponement of its subsequent stages from day to day, but as soon as it could be again taken up it was read a second time without opposition, and passed through Committee, and at the instance of His Majesty's Government it was ordered to be re-committed on a day as distant as the advanced period of the session would admit, and in the meantime to be printed.

One of the copies of the Bill thus printed for the use of the Commons I have lately sent to you. Upon the discussion which took place after this delay several Members objected strenuously to the immediate passing of that part of the Bill which provided for the union of the Legislatures, on the ground that it did not appear that the people of the two Provinces were aware that so great a change was contemplated, and that they might have objections to offer, which, whatever might be the decision upon them ultimately, it was contended they ought to have an opportunity of urging.

The expediency of the change proposed was not denied in the discussion, and it was affirmed by those who interceded for the delay that admitting the union to be expedient the terms on which it was proposed by the Bill to effect it appeared equitable and proper. The objection went only to the inexpediency of passing a Bill at the late period of the Session effecting an important change, of which, it was alleged, there was nothing before the House, to prove the necessity; which had not been solicited on the part of either Province, and to which it was possible one or both of them might be very much opposed.

These objections were over-ruled by a great majority of the Members present, but upon a subsequent discussion, which took place on the 23rd July, His Majesty's Ministers, finding that those who had objected to passing during the present Session those clauses which respected the union of the Legislatures, persevered in their opposition on the ground that they had first taken, declared themselves unwilling to press the measure, finding that it did not meet, as they expected it would, with the general concurrence of the House, and proposed themselves what had been suggested in the former debate, that so much of the Bill as related to the constitution of Canada should be separated from the rest and be brought in as a separate Bill, and should pass so far through its ordinary stages as to admit of its being printed in order that it might lie over for consideration and an opportunity be afforded to the inhabitants of the two Provinces to make any representations they might desire. It was expressly declared, however, by His Majesty's Ministers,

that as they were entirely convinced of the expediency, and even of the necessity of the measure they only deferred it for the present lest the opposition which had been unexpectedly given to it, though only with respect to the time of its passing, might excite a prejudice against the Bill in the minds of the people of Canada, and induce them to acquiesce less cheerfully than they otherwise would in any practical inconveniences which may at first be felt from the change.

That they would therefore give time for an expression of opinion, but that they would proceed with the measure the next Session unless some good grounds should be shown for supposing that the union contemplated would be injurious to the great interests of the Provinces. That though they acceded to it they regretted the delay of a measure which appeared to them the best calculated to remove all future differences between the two Canadas and to promote their ultimate security and prosperity and which they thought had it passed, as they anticipated, by the unanimous voice of the British Parliament, would have been received with the same conviction by the Provinces themselves. With this declaration of their present impression and of their intention for the future they moved that the Committee should be instructed to divide the Bill before the House into two parts, and that the first, comprehending the proposed union should be proceeded no further in at present than the second reading, that it might be printed and lie over to the next Session. The latter part of the Bill, embracing the provisions for regulating the inland trade of the Canadas with the United States and the several enactments for investigating and settling the claims of the Upper Province upon the Lower and respecting the future distribution of the duties to be levied in the latter Province upon importations by sea, (of the urgent necessity of which enactments, as well as of the justice, the House declared themselves well satisfied) was on a subsequent day reported by the Committee.

The postponement of the proposed union of the Legislatures and the possibility of His Majesty's Government upon further consideration relinquishing the measure entirely (which supposition, however, I have not the slightest ground for entertaining) rendered it necessary to provide in the Bill about to be passed, against the recurrence of future inconveniences to Upper Canada from the Acts of the Legislature of the Lower Province, which would not have been necessary, or which could not consistently have been done had the Legislatures of the Canadas been united. I therefore submitted the clauses numbered 28 and 29 in the Act, as it was passed, nearly in the terms in which I had first proposed them in the draft which I had laid before Earl Bathurst previously to the measure of uniting the Legislatures being resolved upon by His Majesty's Government.

The necessity also of protecting the exports of Upper Canada against taxation, direct or indirect, by the Legislature of Lower Canada, which is much insisted upon in the Report, impelled us to press for the adoption of the clause No. 30 in the Act, and I accordingly submitted it to the Under Secretary of State, with the explanations contained in my letter to him, of which a Copy is sent herewith, marked "A." Objections were called for and urged in writing on the part of Lower Canada against this clause, as against the enactments before proposed, and Earl Bathurst, having decided upon the reasonableness of affording this protection, it was submitted and passed by the House.

With these and other amendments rendered necessary by the division of the Bill it passed through its subsequent stages, and was assented to on the 5th August, the clause respecting tenures of lands in Lower Canada having at the suggestion of several Members in the House of Commons been incorporated with it as being

one of unquestionable benefit, and not connected with the measure of uniting the Legislatures, nor requiring on that account to be postponed.

I now transmit to you to be laid before His Excellency the Act which was passed, with such explanations as occur to me, stated in the paper marked "B," and also a copy printed for the use of the House of Commons of the Bill for uniting the Legislatures, which it is intended to propose again in the next session of Parliament.

With respect to the first, I am confident in my expectations that the provisions it contains for adjusting the claims of Upper Canada, and for preventing future injury to its trade or revenue by the Acts of the other Provinces will be acceptable to His Excellency, and satisfactory to both Houses of the Legislature, as they confirm in all respects the principles contended for, and afford, as nearly as possible, the remedies recommended by their Reports. The pleasure which I feel at the successful issue of exertions which have been necessarily attended with much anxiety from my impression of the value of the objects contended for, greater even with respect to the future than the past, would be much lessened if I did not think every one of the provisions perfectly reconcilable with the just rights, and by no means injurious to the fair interests of Lower Canada, and even with this conviction on my mind it is a strong additional source of satisfaction that not one of these measures was decided upon, or even discussed or proposed before His Majesty's Government, but in the presence of gentlemen, who though they were not the accredited Agents of Lower Canada were from their situations and their experience in that Province perfectly acquainted with its interests, and well qualified by their talents to represent them, and that objections from these persons to the claims of Upper Canada were not only received, but called for.

With respect to the proposed Bill for effecting the proposed Union His Excellency will readily understand from my former communications how much I have been relieved by the manner in which it has been disposed of, as it will afford to the people of both Provinces an opportunity of considering beforehand the probable consequences of a very material change in their Constitution, which, with all the reflection which I have been able to give it, I confess I should be extremely sorry upon my own judgment, unaided by the opinion of those equally interested in its operation, to be in any degree instrumental in promoting or defeating. On the one hand, had my first impression with respect to the policy of uniting the Legislatures been other than it was, I should not have ventured, (especially in the particular situation in which I stood) without being instructed, and even without being acquainted with the sentiments of His Excellency or of the Legislature, or the people of the Province, to urge a measure of so important and delicate a nature. On the other hand, being the bearer of an Appeal from the Legislature of Upper Canada, which stated injuries resulting from the present relative situations of the two Provinces, which it was declared must be ruinous if suffered to continue, and for which an entire reliance was expressed in the wisdom of His Majesty to provide us a remedy, I felt that I should be acting most inconsistently with the situation in which I stood, if, without any instructions, and merely on my own idea of their unfitness, I should fly in the face of the measure which His Majesty's Government proposed as most likely to yield us the security we desired, and which, for all I knew, might appear in the same light to most of the Inhabitants of the Province. It appeared to me clearly that I could do no more than press respectfully the adoption of other measures which appeared to me preferable, and to state plainly to the Government the result of my own

consideration as to the inconveniences which might be apprehended and the benefits which might be safely anticipated from an union; and this I did as fully as was in my power, not merely in a written paper in which what occurred to me was necessarily thrown together hastily and on the first impression, but also verbally on all occasions on which I was consulted. Indeed the ready access afforded to me and to all who manifested any interest in the affairs of Canada while those measures were under discussion, and the interested personal communications with which we were honored by Earl Bathurst and by the under Secretary of State, prevented the necessity of a written correspondence. When His Majesty's Government, after hearing all that could be urged, resolved to propose the union, and when I knew that many Members of the House of Commons who frequently opposed the measures of the Government were supporters of this, and that there was every reason to believe that it would meet with general concurrence, I conceived clearly that unqualified opposition on my part had I thought the measure decidedly called for it, besides being fruitless, and in the character in which I stood unwarranted, might have embarrassed and rendered ineffectual my applications upon the other points, and would have deprived me of the opportunity of interceding for those modifications of the proposed union, which, if the Bill should pass, will secure the interests of Upper Canada, I think, in the most important points as much as they can be secured under the changes of circumstances, and which perhaps may, in the opinion of its inhabitants, render the measure ultimately beneficial to the Province and reconcile them to any present practical inconveniences that cannot be avoided.

It may be satisfactory to His Excellency, (inasmuch as I may be supposed to have been governed by instructions received before my departure) to learn that the line of conduct which I have pursued with respect to the union was distinctly stated by the Under Secretary of State in the House of Commons. In answer to a suggestion by a Member that it was a measure urged by Upper Canada through its Agent in opposition to the interest and wishes of Lower Canada, he corrected the misapprehension by declaring that it originated entirely with His Majesty's Government, and was not at the instance of either Province; that so far from soliciting it on the part of Upper Canada I had resisted it in its introduction, and had never urged it publicly or privately, that I had afforded every information required of me, and had stated merely my own impressions as to the arguments for and against it.

What may be the opinion entertained in Upper Canada upon the Policy of the Bill as it now stands, I am altogether at a loss to anticipate, and now that an opportunity is afforded of judging of it with all its details it is unnecessary that I should express my own, because it is no longer of consequence.

It is due, however, to the confidence reposed in me to state that everything within my knowledge which may give to the Province the full benefit of the delay which has occurred, and I will therefore add that it appears to me His Majesty's Government remains as strongly impressed as ever with the conviction that the contemplated union would very much add to the importance and promote the prosperity of both Provinces, and that I have therefore no doubt as to their present determination to pass the Bill during the next Session.

And as it must be obvious that neither the Government nor the Parliament of this Country can be influenced in their adoption of the measure by any possible motive than a desire to advance the welfare and increase the value of the Colonies so it must be expected that if notwithstanding any objections which may be

urged it shall appear that the union will be greatly beneficial to the two Provinces combined, an apprehension of slight practical inconveniences to either or a more general repugnance to the measure not accounted for on rational grounds will not be suffered to prevent it. I state this in order to impress my conviction that it will be important principally to consider the permanent consequences and the balance of good or evil likely to arise, and I should feel it a great injustice to His Majesty's Government not to add an assurance from my own experience that representations upon these subjects respectfully urged will be sure to be patiently received and most scrupulously weighed.

As to the probable determination of Parliament upon the measure I can only state that I attended the discussion upon the Bill and that I heard no opposition whatever offered to the principle, but that the expediency of uniting the Legislatures seemed to be the prevailing opinion, and that had the Government pressed it the last Session the number of those who resisted it on the ground of time only was by no means sufficient to have prevented the Bill passing.

I mention these facts that they may assist in forming a judgment of the probable issue of the measure. It was suggested in discussion in the House that witnesses should be examined at the Bar as in the year 1791, and either Province heard by Counsel if it requested it. What steps the Province of Lower Canada may take I cannot conjecture; some few merchants here connected with that Province petitioned at a very late period of the Session in favour of the Bill, and their Petition has been ordered to be printed.

Other gentlemen of the same class preferred a remonstrance to His Majesty's Government against it, and Mr. Marryatt, a Member of the House of Commons, declared that he had received many communications from persons connected with that Province who were unfriendly to the Union. One thing strikes me as most important to be attended to whatever may be the opinion of the Bill in its present shape, and that is that if the change does take place, and in consequence of the representations of Lower Canada it should be effected upon terms which will give to Upper Canada less influence in the joint representation, or without any of the restrictions imposed to secure its interests, it may have the effect of making the latter Province a mere dependency upon the other, which I cannot but believe would be very fatal to its growing prosperity, and that consequently it is most important, if the Bill should pass, that it should pass in these respects unaltered.

Nothing further occurs to me which it can be of service to state respecting this measure, but it remains that I should entreat His Excellency's earliest attention to the very perplexing situation in which I am placed by its being thus depending.

The business which I was deputed to urge is fully accomplished by the Act which I now send out, and nothing remains of those matters with which I was officially charged which should longer detain me from the discharge of my public duties in the Province, or from attending to my private affairs, from which a much longer separation will be attended with serious inconvenience and loss, but feeling deeply the interest which attaches to the approaching discussion it appears to me that though the confidence of the Government and of the Legislature was reposed in me for other purposes which are fulfilled, I must in this unforeseen state of things consider myself so far the Public Agent, that I cannot, at least without the sanction of His Excellency, withdraw myself from the country before the measure is disposed of, in the result of which, and indeed in its minutest details, the future political state of the Province and consequently its welfare and its happiness are so deeply concerned.

To attend to the future progress of this measure as representing the interests of Upper Canada involves a responsibility which I would most willingly see committed to other hands, but which, if possessed of the confidence, and informed of the sentiments and wishes of the Province, I could not properly decline, and from which, at all events, I should feel it a reproach to fly. It would be very gratifying to me to assist in the deliberations to which the agitation of this question will probably lead in the Legislature of the Province, but not yet determined what course to take in a situation in which many considerations concur to render it very embarrassing.

I have endeavoured in this and former communications to put His Excellency in possession of all the information which I could communicate were I present, either respecting the Bill depending, or the Act which has been passed. I forget whether in my note written hastily to you immediately on my perceiving the probability of the present result of the discussion before Parliament I made any observation of the situation in which it placed me. If in the satisfaction I felt in the prospect of that result such a consideration did not so immediately occur to me I think it will not have failed to suggest itself to His Excellency, and I earnestly hope I may receive some communication from you in answer to that note, which may put me in possession of His Excellency's sentiments on that head. If not I take the liberty of begging to be favored with them as speedily as possible in reply to this letter. In the former case the communication would certainly arrive in time, and in the latter it possibly might, to enable me to return to Canada, so as to attend the Session of the Legislature at the ordinary period, if His Excellency should think I might with propriety leave this Country.

I have the Honor to be, Sir,

Your Most Humble Obedient Servant,

(Signed) JNO. B. ROBINSON.

To Major Hillier, Sec'y to His Excellency the Lieut. Govr.

"A."

(Copy)

To Robert Wilmot, Esq.,
Under Secretary of State, &c.

July 24th, 1822.

Sir: I now submit to you the clause respecting duties imposed in Lower Canada upon Scows, Rafts, &c., passing from Upper Canada through its waters upon which I spoke to you yesterday.

Being entirely prospective, it was unnecessary to propose it while the measure for uniting the Legislatures of the Provinces formed part of the Canada Bill.

In addition to what I have already urged on the subject I beg to refer to pages 39 and 40 of the Report of the Legislature of Upper Canada, in which the rates in question are complained of, and to page 50 for a copy of the Act by which they are imposed, and by which it will be seen that these rates are very considerable, in amount, and that as they are raised solely by the Legislature of Lower Canada, so they are to be expended solely at its discretion.

I will only add that flour and lumber are the principal exports of Upper Canada, the former of which is sent down the St. Lawrence in Scows, the latter in Rafts and Cribs, and that chiefly upon those exports of Upper Canada on their way to Great Britain or to foreign markets a sum has been levied under this

Act, which two years ago had accumulated to £5,000, and which remained in the Treasury of the Lower Province unexpended, as appeared by the Public Accounts printed by order of its Legislature. It is scarcely credible by any but mercantile men how seriously impositions of less amount than these upon the staple articles of a country may operate to the prejudice of its trade, especially in the present period of low profits and uncertain markets, and it is incorrect to imagine that the consumer, who ultimately pays them, is the only person demnified. They are deductions from the profits of the exporter, or rather in the present depressed state of trade they add to his loss, and when our flour can scarcely find a market, and our timber, since the late regulations, can with difficulty be brought into competition with that from the Baltic, the addition of these rates, particularly that of seven shillings and sixpence upon every crib of timber becomes a consideration of very serious moment; to say nothing of the necessity of protesting against a principle which would place one Province entirely at the mercy of the other. I do hope therefore that His Majesty's Government will see the expediency of adding the proposed clause to the bill, as it has no retrospective operation, and goes merely to prevent in future such taxes being levied upon the people of Upper Canada under any pretence, leaving the improvement of the navigation, an object equally interesting to both Provinces, to be provided for by such means as they may both concur in.

I have, &c.

JNO. B. ROBINSON,
Comm'r from U. C.

"B."

The two Acts recently passed for regulating the trade between His Majesty's Possessions in America and the West Indies and other parts of the world, and for regulating the trade between His Majesty's possessions in America and the West Indies and other places in America and the West Indies, place the commerce of the North American Colonies on the most liberal footing. By the first a direct trade is opened to our shipping with all foreign countries in Europe and Africa, and it will be found that the list of articles to which the trade is restricted embraces almost every production which we could desire to import from those countries, since whatever this Kingdom manufactures could not be procured by us of so good a quality or so cheaply elsewhere. Our trade henceforth with foreign nations is open to us as freely as to our fellow subjects of the United Kingdom, with this advantage over them, that the wines or other merchandise we may import from them are not subject to the same heavy impositions. What we can find to send in return is another consideration, upon which must depend the extent to which we can avail ourselves of these advantages. An opportunity is given if we can improve it. I learn that by another Act passed this Session the same privilege of trading to the East Indies which has been given to private traders of the United Kingdom is, with some exceptions, extended to the Colonies. The circumstances of the Colonies may for some time render this privilege of little value, but while we are placed on the same footing as other British Subjects we cannot complain.

While these measures were in progress I had some conversation with the Board of Trade on the present state of trade in Canada with respect to the article of tea which is too notorious in both Provinces, and suggested that little injury would arise to the East Indian Company, and much good to our own revenue, if we could be allowed to import tea directly from the East Indies or through the

United States on payment of a certain duty. It was too late in the Session to propose a measure which as it would be in direct violation of the Company's Charter, could not, during the existence of it, be brought forward without their acquiescence; but it did not appear to me from what was said upon the subject that an application would be hopeless if urged in time to admit of its being well considered, and I am inclined to think it would be liberally entertained by the Government.

I mention this that it may be thought of.

It will be seen that by the first Act different British Statutes are repealed of which the policy was to promote the trade of the Canadas by allowing the exportation from thence to certain parts of Europe of the productions of the States, brought by land or inland navigation, without requiring certificates of origin, or in other words, to make so far as those Statutes extended the outlet for the productions of the Northern States; but it may be seen by the second Section of what may be called the Present Colonial Europe Trade Bill that they are only repealed to make way for what would appear a general extension of this policy, for by that Section it is lawful to export from the Colonies direct to any foreign port in Europe or in Africa, &c., &c., any article the growth, produce or manufacture of any such Colony, or any articles which have been legally imported into any such colony, and such undoubtedly would be the beneficial effect of that Statute if it stood alone. But it will be seen that the Act "for regulating the Trade between the British Possessions in America and the West Indies and other places in America, and the West Indies," and the Act, Chap. 119, for regulating the Trade between the Provinces of Upper and Lower Canada and the United States of America, have the effect of destroying this policy altogether; in as much as the principal productions of the United States cannot since those Acts be imported from the United States through any channel into the Canadas without being subject to considerable duties; and therefore in this respect the trade of the Canadas is placed on a worse footing, in principle at all events, I hope not at present very materially so in practice. To avoid this, if possible, I suggested to the President of the Board of Trade the expediency of allowing both provinces to continue as they have done to admit the productions of the United States by inland navigation free of duty, or otherwise as they might think most advisable, because as the duties imposed by the Act Number 2 on the importation of those articles by sea from the United States into the West Indies and other Colonies were meant solely and expressly for our protection, and to encourage the agricul-rural productions of our Province, which were common with those of the United States; it was not necessary to protect ourselves against ourselves, and we might be safely allowed to judge whether the free admission of American flour, timber, &c., into our Province for exportation might not be beneficial to our trade, without being injurious to our agriculture, and I suggested that by allowing such importation, we might, by exporting the productions of America with our own, be enabled immediately to supply the West Indies entirely and might carry on a more extensive trade with other parts of the world. The answer, however, was a very obvious one, and I admit a very just one. The West Indians, it was said would justly complain if the price of the necessaries of life was raised upon them to enable us to dispose advantageously not only of our own productions, but of those of foreign countries; and if the productions of the United States brought by internal navigation into the Canadas were not made subject to the same duties as when imported into the other British Colonies, the Americans would complain that the relaxation professed

to be made in the navigation laws for the benefits of a reciprocal commerce, would be but partially extended; and would be rendered in a great measure nugatory by their productions being when carried direct in their own shipping to our West India Islands made subject to heavy duties, and admitted in the same Islands free of duty if introduced by our shipping by a circuitous importation. That would indeed be the direct effect as the West India Bill now stands, for the enumerated articles are subject only to duty when brought from a foreign country, and if the wording were otherwise evasions would be unavoidable.

Besides, the other North American Provinces might claim the same privileges or the same reasons that we should desire it, and if extended to them it would lead to their supplying the West India Markets with American flour to the exclusion of that produced in Canada.

I have been the more explanatory on this subject because perhaps it is the most important, and it may be of consequence to call the attention of the Legislature to these matters, which are necessarily better understood by most others in Canada than by myself.

The general change in the system of the navigation laws, introduced by the Act for Regulating the Trade of the British Possessions in America and the West Indies with other places in America and the West Indies, is a great national measure, prompted chiefly by the present deplorable state of the West India Islands which the Planters attributed too much perhaps to the interruption of intercourse with the United States of America by the retaliatory system which this country had adopted. Every disposition has been shown to secure us against injurious consequences by the imposition of protecting duties on such articles from the United States as are equally produced in Canada. Efforts were made by those interested in the Canada trade to have those duties placed as high as possible, but duties so high as to be nearly prohibitory would have been in direct opposition to the principles and professed policy of the Bill. The West Indians on the other hand exerted themselves strenuously, and most naturally, to have the duties low; as they are principally on articles of the first necessity, and whatever their amounts are direct sacrifices made by them to the interests of other Colonies.

The Parliament endeavored to fix upon the just medium, and though I imagine it was felt that the duties are scarcely sufficient to compensate the difference of transport and to place our productions on equal terms with the American in the West India markets, they are as high as could be obtained or as would be patiently acquiesced in, and therefore are the more likely to be permanent. It will be seen that care is taken to guard against the introduction of American grain bonded in England into the West Indies, except upon the same duties as if imported from the United States; the omission to impose a duty upon Indian Corn Meal was accidental, and it is intended to remedy it next Session. It was suggested that a duty should be imposed upon rice, as it very much supersedes the consumption of flour, but it was not considered just to protect the productions of the Canadas by imposing a duty upon other articles of equal, and perhaps of greater, necessity which they do not produce.

Wheat, it seems, cannot be sent to the West Indies, and therefore no protection in regard to it was thought necessary. It is to be considered how far the omission of a duty on wheat may consistently with the letter of the Act admit of a trade in American flour through the Canadas, by importing their wheat and manufacturing it in the Provinces.

I have mentioned such matters as occur to my recollection respecting the two Acts regulating the Colonial Trade generally, because Upper Canada is more or less interested in both, and because, as it is just to state, every opportunity was afforded me to make suggestions while they were in progress.

Upon the Act for regulating the trade of the Provinces of Lower and Upper Canada and for other purposes relating to the said Provinces which more directly concern us, it will readily occur that it might have been more desirable for the Provinces themselves that no provisions had been made with respect to the inland trade between them and the United States of America, and that they had been left to regulate it by their own enactments, as they have hitherto done; but as it would have been invidious towards the other Colonies to exempt them in any manner from the operations of the general system, so, for other reasons which I have before stated more particularly, a uniform system was so far insisted upon as to extend the permission to import into Canada by inland navigation by American ships as well as by British or by land carriage, to the same articles, and upon the same duties as are enumerated in the schedules to the West India Trade Bill, and consequently the schedules are the same in both for the sake of uniformity, although they are not so applicable to the nature of the trade in the one case as in the other. I should have been happy if the application of the general system to the inland trade of the Province, and at least with respect to the duties, could have been dispensed with; but I do not consider the failure in this respect of much consequence. It will be seen that the Colonial Legislatures are not restrained from adding to the duties imposed by this Act, so that it is still in their discretion to protect their own agriculture by prohibitory duties upon American productions, if they deem such a policy wise. It is only provided that not less than these duties shall be levied; higher duties even now existing are not repealed. This will be seen in the third clause of the Act, and in the West India Act the same provision is extended to all the Colonies.

The greatest difficulty I experienced was to prevent the inland intercourse between the Canadas and the United States from being limited, as the trade is in an express clause in the general Colonial Act, to the articles enumerated in the schedule, which, considering the peculiar situation of Upper Canada, so far from the Ocean, would have been most ruinous; for henceforth all the salt, iron-ware, mill stones, machinery of all kinds, and every cumbrous article must have come up the St. Lawrence, an expense greater than their present value; and we should have been precluded from getting a multitude of trifling articles, which, from our contiguity to the United States, we find it convenient to get from thence, and by which the trade of Great Britain is in no degree injured.

Upon this subject I made frequent representations, and it was at last placed upon the desired footing, so that it will be found there is nothing in the present Act to prevent our getting other articles from the United States than those enumerated upon such terms as we please, subject, however, to the restriction of the Navigating Laws, that they must be in British bottoms; for it is only with respect to the enumerated articles that that restriction is relaxed.

And it is very material that the operation of the Act in this respect should be distinctly noticed, because the necessity conceived for express enactments to allow the partial relaxation of the Navigation Laws upon the inland waters shows the construction of the Parliament upon their general application to such navigation no less than the particular clause in which they are expressly adverted to. There was formerly, indeed, under the words of 7th and 8th William and Mary,

no room for doubt, but now it is placed beyond the possibility of dispute that no articles can be imported into the Ports of Upper or Lower Canada in American bottoms except such as are in the Schedule, nor any carriage from port to port in either Province in such bottoms; though it will be seen in the 10th section of the Bill that all articles may be exported from our ports to the United States in American bottoms, as in other Colonies by the West India Act; for it was intended that our inland intercourse with the United States should not be subject to any restrictions which had been relaxed in the other Colonies, and whether it would be prudent that intercourse should be freed from the restrictions which still remain (I mean as to carrying in foreign bottoms) is a question of policy on which there may be different opinions, and on which the sentiments of the Colonies themselves would, I dare say, receive attention. In the meantime the effect of the Acts is as I have stated it, and it is necessary it should be clearly understood.

The reason of the other regulations of trade in the Canada Act are sufficiently explained in the several enactments.

The provisions for adjusting all questions of revenue between the Provinces scarcely require explanation, as the reasons are sufficiently recited, and the subject has been already so much discussed; but a fear that they may be misapprehended induces me to make a few remarks.

The claim for arrears of Provincial Duties, up to the period of the last Agreement, is confined to such as arise under the several agreements themselves; for it is considered just by the Government, and was conceded by our Commissioners at the last meeting, that the agreement must be considered final for the periods to which they refer, and that it is only to be inquired whether they have been performed or not; an inquiry which is extended to the fair understanding and construction of the agreements by express words in the Acts. As to the proportion of duties under British Acts of Parliament, it will be seen that it is perfectly open to Upper Canada to state any claim to the Arbitrators, and to adduce evidence, except with respect to such period as has been provided for by agreement, which is only that included within the agreement of 1817, but the decision of such claim must rest with the Lords of the Treasury.

It was objected to leave any principle as to the distribution of those duties to the decision of the Arbitrators, and I concur in thinking that the present arrangement in that respect is most proper.

I suggested for consideration the propriety of an appeal to the King in Council or to the Lords of the Treasury from the decision of the Arbitrators where they are authorized to decide, but it was thought it would be inexpedient, and I apprehend it would certainly have led to delay, for one party or the other would have appealed, and both have an equal chance of justice before the Arbitrators.

The 33rd Clause was inserted upon a suggestion while the Bill was in progress, and of course can be no otherwise objectionable than it is merely nugatory, because there are but three things which Arbitrators can ever be called by the Act to consider:

First, claims for arrears, of which Lower Canada never pretended to have any, and indeed it was impossible she should, as the agreement necessarily only provides for the payment of a proportion to us by that Province as the Receiver in the first instance of the whole.

Secondly, to declare for the time to come what proportion we should have of the Provincial Duties levied on importations by sea; and on this head it is impossible Lower Canada can have any claim, because she holds everything till it is decided what part she is to pay us, which is the only question.

Thirdly, to receive claims to the distribution of duties under British Acts and report them for the decision of the Lords of the Treasury; and here the possibility of reciprocal claims is supposed and expressly provided for. However, the clause does no harm, as it carries the appearance of reciprocity, and if there was room for the reality it would be but just the provision should exist.

The proportion of one-fifth of the duties levied since the 1st July, 1819, is all that would be conceded, as that was the last rate established; indeed it could not be expected that the Government would propose more without an actual investigation and evidence of increased consumption, and besides, our Commissioners had offered to accept it. I knew the present state of your finances and the encumbrances upon them would not admit of delay in the receipt now due, and therefore I consented to the one-fifth for a period not later than July, 1814, but it will be found by a careful perusal of the Act, particularly the 27th clause, that it remained open to Upper Canada to urge a claim to a proportion of the 14th Geo. 3rd greater than one-fifth, upon the principles explained in the Report, since the expiration of the last Provisional Agreement; which claim the Lords of the Treasury will decide upon; and that in the meantime one-fifth of those duties also will for the present be received. This provision with respect to the proceeds of duties under 14th Geo. 3rd, extends generally to the future.

The 19th clause renders necessary a previous undertaking between the two Provinces respecting the imposition of duties, which it is but just should have place, as both are directly interested.

Nothing further occurs to me respecting these or the remaining provisions of this Act, or of the others I have remarked upon; it will readily be supposed that many other modifications have come under consideration, which, as they were not adopted, it is needless to advert to; but I hope it will be found generally that the different views of the subject were not overlooked.

(Signed) JNO. B. ROBINSON.

London, August 27th, 1822.

A true Copy. G. Hillier.

Mr. Nichol, seconded by Mr. Gordon, moves that the documents transmitted by His Excellency, the Lieutenant Governor, in compliance with the Address of this House be printed. Which was ordered nem. con.

Present: Messrs. Jones of Leeds, Jones of Grenville, Gordon, Nichol, Pattie, Clark of Lincoln, Wilson of Wentworth, Chisholm, Wilmot, Walsh, Hamilton of Lincoln, Crooks, Burwell, Gates, Hamilton of Wentworth, Morris, Hagerman, McDonell, Shaver, Bostwick, Randal, Peterson, Baldwin, Willson of Prince Edward, Horner, Clark of Lennox and Addington, and Ruttan.

Agreeably to the order of the day, debates took place on the subject of a libel published in the Kingston *Chronicle* of 11th January, 1822.

Mr. Jones, of Grenville, seconded by **Mr. McDonell**, moves that it be resolved that the House, having asserted its privilege by declaring the publication in question a false, scandalous and malicious libel, and also having been satisfied with the subsequent acknowledgment of impropriety of conduct by the author of the article in question are unwilling to prosecute the matter further.

In amendment, Mr. Hagerman, seconded by Mr. Walsh, moves that all the words after the word "Libel" be expunged, and the following inserted, "that the debate be adjourned." Which was carried.

On the original question as amended being put, the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Pattie, Peterson, Willson (Prince Edward), Horner, Walsh, Clark (Lennox), Crooks, Burwell, Gates, Hamilton (Lincoln), Hagerman, Morris, Casey, McDonell, Shaver, Jones (Grenville), Bostwick.

Nays: Messrs. Gordon, Nichol, Clark (Lincoln), Willson (Wentworth), Chisholm, Randal, Wilmot, Baldwin, Ruttan, Hamilton (Wentworth).

The question was carried in the affirmative by a majority of eight, and ordered accordingly.

Mr. Jones, of Grenville, gives notice that he will, on to-morrow, move that it be resolved that a Select Committee be appointed, with power to send for persons and papers, to inquire into the Banking Institutions and Paper Currency circulated within this Province.

Mr. Nichol gives notice that he will, on to-morrow, move that it be resolved that an humble Address be presented to His Excellency the Lieutenant Governor, praying him to direct to be laid before this House any information in his power to communicate relative to the Boundary Line in the River St. Lawrence.

Mr. Hagerman, from Committee appointed to report on the Expiring Laws, informed the House that they had agreed to a Report, which he was directed to submit for their adoption. Ordered that the Report be received, which was read and is as follows:

The Committee ordered by the Honorable the House of Assembly to report on the expiring Laws of this Province, respectfully represent that the following Acts have expired, or about to expire with the present Session of the Provincial Parliament, viz.:

1st, An Act passed in the forty-second year of the reign of our late King, intituled "An Act to enable the Governor, Lieutenant Governor or person administering the Government of this Province to appoint one or more additional Port or Ports, place or places of entry within this Province, and to appoint one or more Collector or Collectors at the same respectively," and revived and continued by Acts passed in the forty-seventh and fifty-sixth years of the Reign of our said late King.

2nd, An Act passed in the fifty-eighth year of the Reign of our late King, intituled "An Act to continue, repeal part of, and amend an Act passed in the fifty-sixth year of His Majesty's Reign, intituled an Act for granting to His Majesty Duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other Persons therein mentioned," and to extend the Provisions of the same.

3rd, An Act passed in the fifty-eighth year of our late King, intituled "An Act granting to His Majesty a duty on Licenses to Auctioneers, and on goods, wares and merchandise sold by auction."

4th, An Act passed in the fifty-ninth year of our late King, intituled "An Act granting to His Majesty an additional duty on Stills used by Distillers for distillation of Spirituous Liquors for sale, and for ascertaining the manner in which certain wooden Stills shall be gauged in this Province."

Commons House of Assembly, Jan. 22nd, 1823.

Chr. A. Hagerman, Chairman.

The House then adjourned till twelve o'clock to-morrow.

Thursday, 23rd January, 1823.

The House met: Prayers were read: The Minutes of yesterday were read.

Mr. Rogers, seconded by Mr. Willson, of Prince Edward, moves for leave to bring up the Petition of the Inhabitants of the Township of Ameliasburgh, in the Midland District. Which was carried, and the Petition brought up.

Agreeably to the order of the day, the Petition of Susannah Kendrick, of the Town of York, Widow of the late Lieutenant Duke William Kendrick, 3rd Regiment York Militia, praying for the continuation of Pension, the Petition of the Magistrates of the London District in General Quarter Sessions, praying that a law may be passed authorizing them to borrow One Thousand Pounds to enable them to complete the Court House in the said District, and at the same time making the said District liable for the payment of the said sum of One Thousand Pounds; and the Petition of sundry Magistrates and the Grand Jury of the London District praying that their case may be taken into consideration were then read.

Mr. Nichol, seconded by Mr. Gordon, moves that the Petition of the Magistrates of the London District be referred to a Select Committee, to consist of five Members, with power to send for persons and papers; that Messrs. Burwell, Bostwick, Horner, and Walsh be appointed on the said Committee, and that they be directed to report by Bill or otherwise. Which was ordered.

Mr. Nichol, seconded by Mr. Gordon, moves that the Petition of the Magistrates and Grand Jury of the London District do lie on the Table. Which was ordered.

Mr. Hagerman, seconded by Mr. Nichol, moves for leave to bring up the Petition of John Boswell, Esquire. Which was granted, and the Petition brought up.

Agreeably to notice, Mr. Hagerman, seconded by Mr. Burwell, moves that the House do now resolve itself into a Committee of the whole, to take into consideration the expiring Laws of the Province. Which was carried, and Mr. Hamilton, of Lincoln, took the chair of the Committee.

The House resumed. Mr. Hamilton reported that the Committee had agreed to sundry Resolutions which he was directed to submit for the adoption of the House. Ordered that the Report be received.

The Resolutions were then severally read and adopted, and are as follows:

Resolved, That An Act passed in the forty-second year of the Reign of our late Sovereign Lord King George the Third, intituled "An Act to enable the Governor, Lieutenant Governor, or person administering the Government of the Province to appoint one or more additional Port or Ports, Place or Places of Entry within this Province, and to appoint one or more Collector or Collectors at the same respectively" being about to expire, it is expedient to continue the same so far as relates to the appointment of one or more Collector or Collectors at such Port or Ports, Place or Places of Entry.

Resolved, That an Act passed in the fifty-eighth year of His Majesty's Reign, to repeal an Act passed in the fifty-sixth, intituled "An Act for granting to His Majesty Duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other Trading Persons therein mentioned, and to extend the provisions of the same," being about to expire, it is expedient to continue the same.

Resolved, That an Act passed in the fifty-eighth year of the Reign of our said late King, intituled "An Act granting to His Majesty a Duty on Licenses to Auctioneers, and on goods, wares and merchandise sold by Auction," being about to expire it is expedient to continue the same.

Resolved, That it is the opinion of this House that the Law relating to Distillers within this Province be referred to a Select Committee.

Mr. Hagerman, seconded by Mr. Burwell, moves that Mr. Jones, of Grenville, and Gordon be a Committee to draft Bills to revive the Laws about to expire agreeably to the Resolutions of this House. Which was ordered.

Mr. Hagerman, seconded by Mr. Burwell, moves that Messrs. Crooks, McDonell, Jones, of Leeds, and Morris be a Committee to take into consideration the Law about to expire relating to Distilleries in this Province, and to report thereon by Bill or otherwise. Which was ordered.

Agreeably to notice, Mr. Pattie, seconded by Mr. Jones, of Leeds, moves for leave to bring in a Bill to establish a Public School in the District of Ottawa. Which was granted and the Bill was read.

Mr. Pattie, seconded by Mr. Jones, of Leeds, moves that the Ottawa District School Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Jurisdiction Bill was read the second time.

Mr. Nichol, seconded by Mr. Gordon, moves that the Jurisdiction Bill be referred to a Committee of the whole, and that the House do now resolve itself into a Committee of the whole to take it into consideration. Which was carried, and Mr. Wilmot took the chair of the Committee.

The House resumed, the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to provide for the establishment of Courts in the District of Bathurst, and for other purposes therein mentioned," with some amendments, which he was directed to recommend to the adoption of the House; also the Bill intituled "An Act to amend and extend the provisions of an Act passed in the second year of His Majesty's Reign, intituled an Act to make provision for the improvement of the Internal Navigation of this Province," which the Honorable the Legislative Council had passed without amendment.

The amendments made by the Honorable the Legislative Council to the Bill providing for the establishment of Courts in the District of Bathurst were then read as follows:—

Press 3, line 15. After "the" expunge "second" and insert "third."

Press 3, line 16. After "the" expunge "third" and insert "second."

Mr. Morris, seconded by Mr. Hamilton, of Lincoln, moves that the amendments made by the Honorable the Legislative Council to the Bill providing for the establishment of Courts in the District of Bathurst be read a second time this day, and that the fifth Rule of the House be dispensed with so far as regards the same. Which was ordered.

The amendments were then read a second time and adopted.

Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that Messrs. Morris and Bostwick be a Committee to acquaint the Honorable the Legislative Council that this House has concurred in the amendments made by that Honorable House to the Bill intituled "An Act to provide for the establishment of Courts in the District of Bathurst, and for other purposes therein mentioned." Which was ordered.

The House went again into Committee on the Jurisdiction Bill, Mr. Wilmot in the Chair.

The House resumed. Mr. Wilmot reported the Bill without amendment. Ordered that the Report be received.

Mr. Nichol, seconded by Mr. Pattie, moves that the Jurisdiction Bill be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into consideration of His Excellency the Lieutenant Governor's Messages of Tuesday last.

Mr. Nichol, seconded by Mr. Gordon, moves that the further consideration of the Messages of His Excellency the Lieutenant Governor be postponed till Tuesday next. Which was ordered.

Agreeably to notice, Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that it be resolved, that a Select Committee be appointed, with power to send for persons and papers, to take into consideration the Banking Institutions of this Province, and the Paper Currency circulated therein. On which debates ensued.

Mr. Nichol, seconded by Mr. Gordon, moves that the Debate on the Resolution be adjourned till Wednesday next. Which was carried.

Agreeably to notice, Mr. Nichol, seconded by Mr. Gordon, moves that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to direct to be laid before this House any information in his power to communicate relative to the Boundary Line between this Province and the United States on the River St. Lawrence. Which was carried.

Mr. Nichol, seconded by Mr. Pattie, moves that Messrs. Gordon and Jones, of Leeds, be ordered to draft an Address to His Excellency the Lieutenant Governor in conformity to the Resolution of the House. Which was ordered.

Mr. Pattie gives notice that he will, on Monday next, move that the Journals of this House for the year 1820, so far as they relate to the Petitions of Thomas Mears and John McDonell, Esquires, and the proceedings thereon, be then read by the Clerk of this House.

Mr. Morris gives notice that he will, on Monday next, move for leave to bring in a Bill to appropriate a sum of money towards the support of a District School and Common Schools within the District of Bathurst, and to grant a salary to the Sheriff of the said District. The House then adjourned till ten o'clock to-morrow.

Friday, 24th January, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Baldwin, seconded by Mr. Wilmot, moves for leave to bring up the Petition of certain Insolvent Debtors in the Gaol of York. Which was granted and the Petition brought up.

Agreeably to the order of the day, the Petition from sundry inhabitants of the County of Durham, was brought up.

Mr. Wilmot, seconded by Mr. Peterson, moves that the petition of sundry inhabitants of the County of Durham be referred to a Select Committee, to consist of four Members, and that Messrs. Rogers, Ruttan, and Jones, of Leeds, do compose the said Committee, with power to report by Bill or otherwise. Which was ordered.

Mr. Nichol, seconded by Mr. Gordon, moves that one thousand copies of the documents transmitted by His Excellency the Lieutenant Governor, relative to the Union Bill and Canada Trade Bill, be printed. Which was ordered.

Agreeably to the order of the day, the Jurisdiction Repeal Bill was read the third time.

Mr. Nichol, seconded by Mr. Gordon, moves that the Jurisdiction Repeal Bill do now pass, and that it be intituled "an Act to repeal an Act passed in the fifty-eighth year of His late Majesty's Reign, intituled an Act to authorize the Inquiry and Trial of offences committed within this Province, without the de-

scribed limits of any Township or County thereof, to be had in any District thereof." On which the House divided, and the yeas and nays were taken as follows:

Yeas: Messrs. Jones (Leeds), Gordon, Pattie, Nichol, Clark (Lincoln), Chisholm, Wilson (Wentworth), Randal, Peterson, Wilmot, Horner, Willson (Prince Ed.), White, Hamilton (Wentworth), Baby, Clark, (Lenox & Addington), Kerr, Burwell, Gates, Bostwick, Hamilton (Lincoln), Morris, McDonell.

Nays: Messrs. Rogers, Jones (Grenville), Ruttan, Crooks, Hagerman, Casey, Shaver.

The question was carried in the affirmative by a majority of sixteen, and the Bill signed.

Mr. Morris, seconded by Mr. Hamilton, of Lincoln, moves that Messrs. Nichol and Casey be a Committee to carry up to the Honorable the Legislative Council the Jurisdiction Bill, and to request their concurrence thereto. Which was ordered.

Mr. Nichol, seconded by Mr. Clark, of Lincoln, moves that so much of the order of the day as relates to the notice to move for leave to bring in a Bill to repeal the Assessment Act, and to make further provision for the assessment of real and personal property within this Province, and also for leave to bring in a Bill to repeal the Laws now in force relative to Roads and Highways, be discharged, and that the consideration of the said Acts be referred to a Select Committee to report their opinion whether any, and if any, what alterations or amendments are necessary to be made therein. Which was ordered.

Mr. Nichol, seconded by Mr. Clark, of Lincoln, moves that Messrs. Morris, Bostwick, Burwell and Willson, of Wentworth, be appointed on the said Committee. Which was ordered.

Agreeably to the order of the day, the Registry Bill was read the second time.

Mr. Morris, seconded by Mr. Gates, moves that the House do now resolve itself into a Committee of the Whole, on the Registry Amendment Bill. Which was carried and Mr. Gordon took the chair of the Committee.

The House resumed, Mr. Gordon reported progress and asked leave to sit again to-morrow. Ordered that the Report be received.

Agreeably to the order of the day, the debate on Mr. Jones's, of Grenville, Resolution of Wednesday, the 22nd instant, was resumed. On the question being put the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Chisholm, Gordon, Pattie, Nichol, Clark, Horner, Willson (Wentworth), Randal, Peterson, Wilmot, Baby, Hamilton (Wentworth), White, Kerr, Walsh, Ruttan, Rogers, Burwell, Crooks, Hamilton (Lincoln), Gates, Morris, Casey, McDonell, Shaver, Jones (Grenville), Bostwick.

Nays: Messrs. Jones (Leeds), Hagerman.

The question was carried in the affirmative by a majority of twenty-five, and it was resolved that the Petition of Robert Perry and others, Freeholders of the Incorporated Counties of Lenox and Addington, contains sufficient grounds and reasons, if true, to make void the Election of Matthew Clark, Esq.

Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that Monday, the tenth day of February next, at the hour of eleven o'clock in the forenoon be appointed for taking into consideration the Petition of Robert Perry, Junior, and others, against the Election and Return of Matthew Clark, Esq., and that notice thereof be given by the Speaker in pursuance of the Law. Which was carried.

Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that it be resolved that the Speaker direct the attendance of John McLean, Esq., Returning Officer of the Counties of Lennox and Addington, at the Bar of the House at the time appointed for the consideration of the Petition of Robert Perry, Jr., and others. Which was ordered.

Agreeably to the order of the day, the Ottawa School Bill was read the second time.

Mr. Pattie, seconded by Mr. Jones, of Leeds, moves that the House do now resolve itself into a Committee, to take into consideration the Bill to establish a Public School in the District of Ottawa. Which was carried, and Mr. Hamilton, of Wentworth, took the chair of the Committee.

The House resumed. Mr. Hamilton reported the Bill as amended. Ordered that the Report be received.

Mr. Pattie, seconded by Mr. Jones, of Leeds, moves that the Bill to establish a Public School in the District of Ottawa be engrossed and read a third time to-morrow. Which was ordered.

Mr. Nichol gives notice that he will, on Tuesday next, move that the House do resolve itself into a Committee of the whole, to take into consideration the several communications made by Jno. B. Robinson, Esq., Commissioner appointed by His Excellency the Lieutenant Governor in compliance with the Joint Address of the Legislative Council and House of Assembly of this Province, to make certain representations to His Majesty's Government in England relative to intercourse with Lower Canada; and to consider of the propriety of expressing the opinion of this House on the manner in which the said Commissioner has performed the duties entrusted to him.

Mr. Gordon, from the Committee to draft an Address to His Excellency the Lieutenant Governor on the subject of Boundary Lines, reported a draft, which was received and read the first time.

Mr. Nichol, seconded by Mr. Gordon, moves that the Address to His Excellency the Lieutenant Governor for information relative to the Boundary Line be read a second time to-morrow. Which was ordered.

Mr. Crooks gives notice that he will, on Monday next, move for leave to bring in a Bill permitting the importation into this Province from the United States free from duty of Hemp Mills, and such other machinery as in the opinion of the Governor, Lieutenant Governor, or person administering the Government of the Province, may conduce to the advantage of this Province.

Mr. Nichol gives notice that he will, on Thursday next, move that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to inform this House whether the sum advanced to the late Provincial Agent to enable him to pay for the copies of the Journals of this House requested to be procured from His Majesty's Government in England, has been repaid to the Receiver General of this Province, or if any of the said Journals have been obtained in conformity to the said Address.

Mr. Willson, of Wentworth, gives notice, that he will move on to-morrow that it shall be the duty of the Clerk to procure by contract all printing that may be ordered by this House, and shall uniformly give the same to such person or persons as may propose on the lowest terms.

Mr. Ruttan gives notice that he will, on Tuesday next, move for leave to bring in a Bill to repeal the Laws now in force relative to weights and measures,

and bring in a Bill for establishing a uniformity of weights and measures throughout this Province.

The House then adjourned till ten o'clock to-morrow morning.

Saturday, 25th January, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Clark, of Lincoln, seconded by Mr. Willson, of Wentworth, moves for leave to bring up the Petition of William B. Willson and others. Which was granted, and the Petition brought up.

Agreeably to the order of the day, the Ottawa School Bill was read the third time.

Mr. Nichol, seconded by Mr. Pattie, moves that the Bill for establishing a Public School in the District of Ottawa be re-committed on Monday next. Which was ordered.

Agreeably to the order of the day, the Petition from the inhabitants of the Township of Ameliasburgh praying for a division of the said Township, and the Petition of John Boswell, praying to be allowed to practice as a Barrister and Attorney at Law in this Country, were then read.

Mr. Nichol, seconded by Mr. Hamilton, of Wentworth, moves that the Petition of John Boswell, Esq., be referred to a Select Committee of three Members, to consider the matter thereof, and to report thereon by Bill or otherwise. Which was ordered.

Mr. Pattie, seconded by Mr. Hamilton, of Wentworth, moves that Messrs. Ruttan and Nichol be appointed to the said Committee. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Hamilton, of Wentworth, moves that it be resolved that a Select Committee be appointed to inquire into the existing Laws respecting the raising and training of the Militia of this Province, and to report their opinion to the House whether any, and if any, what alterations and amendments are required to be made thereto. Which was ordered.

Mr. Nichol, seconded by Mr. Pattie, moves that Messrs. Jones, of Grenville, Wilmot and McLean, of Stormont, be appointed to the said Committee. Which was ordered.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor on the subject of boundary lines was read the second time.

Mr. Nichol, seconded by Mr. Pattie, moves that the House do now resolve itself into a Committee of the Whole to take the Address to His Excellency the Lieutenant Governor on the subject of boundary lines into consideration. Which was carried and Mr. Casey took the chair of the Committee.

The House resumed. Mr. Casey reported the Address without amendment. Ordered that the Report be received.

Mr. Nichol, seconded by Mr. Burwell, moves that the fifth Rule of this House be dispensed with in so far as relates to the Address to His Excellency the Lieutenant Governor, and that it be engrossed and read a third time this day. Which was ordered.

Agreeably to the order of the day, the Exchange Bill was read the second time.

Mr. Hagerman, seconded by Mr. Jones, of ————, moves that the House do now resolve itself into a Committee of the Whole to take into consideration

the Law relating to damages on Protested Bills of Exchange. Which was carried, and Mr. Ruttan took the Chair of the Committee.

The House resumed. Mr. Ruttan reported progress, and obtained leave to sit again this day three months.

Agreeably to notice, Mr. Willson, of Wentworth, seconded by Mr. Jones of Leeds, moves that it be resolved that the Clerk do procure by contract the printing of all Bills, matters and things which may by this House be ordered to be printed, and shall uniformly give the same to such Printer or Person as shall propose to print the same for the lowest sum.

In amendment, Mr. Nichol, seconded by Mr. Gordon, moves that after the word "sum" the following words be added, "provided that no such contract be made with any person who shall not be a resident in the Town of York or its immediate vicinity, and until a specimen of the manner in which such printing shall be executed shall have been submitted to this House and an engagement entered into for the performance of the same within a given period after such engagement shall have been entered into. Which was carried.

The original question as amended was then put and carried.

Agreeably to order, the Address to His Excellency the Lieutenant Governor on the subject of Boundary Lines, was read the third time, passed and signed by the Speaker, and is as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c., &c.

May it please Your Excellency: We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament Assembled, humbly pray that Your Excellency will be pleased to direct to be laid before this House any information in Your Excellency's possession relative to the boundary line between this Province and the United States of America on the River St. Lawrence. Levius P. Sherwood, Speaker. 25th January, 1823.

Mr. Nichol, seconded by Mr. Gordon, moves that Messrs. McLean, of Stormont, and Jones, of Grenville, be ordered to wait upon His Excellency the Lieutenant Governor, to acquaint him that the House has agreed to an Address for information respecting the boundary line between this Province and the United States of America; also to know when His Excellency will be pleased to receive it, and to present the same. Which was ordered.

Agreeably to the order of the day, the House went in to Committee on the Registry Amendment Bill, Mr. Gordon in the Chair.

The House resumed. Mr. Gordon reported that the Committee had agreed to a certain Resolution, Mr. Gordon in the chair.

The House resumed. Mr. Gordon reported that the Committee had agreed to a certain Resolution, which he was directed to submit for the adoption of the House, and asked leave to sit again on Thursday next. The Resolution was then read as follows:

Resolved, that it is the opinion of this Committee, that the Chairman be directed to move the House that it be resolved that six copies of the Registry Bill, with the proposed amendments, be prepared for the use of the Members thereof. Ordered that the Report be received, and leave granted accordingly.

Mr. Gordon, seconded by Mr. Nichol, moves that six copies of the Registry Bill with the proposed amendments thereto be prepared for the use of the Members. Which was ordered.

Mr. Hagerman gives notice that he will, on Thursday next, move for leave to bring in a Bill to authorize the Licensing of Ale Houses in certain Towns within this Province.

Mr. Hagerman gives notice that he will on Monday next move for the appointment of a Committee to inquire into the Administration of Justice in this Province. The House then adjourned till Monday at one o'clock p.m.

Monday, 27th January, 1823.

The House met. Prayers were read. The Minutes of Saturday were read.

Mr. McDonell, seconded by Mr. Burwell, moves for leave to bring up the Petition of the Magistrates of the Home District in General Quarter Sessions assembled. Which was granted and the Petition brought up.

Agreeably to the order of the day, the Petition from the Insolvent Debtors confined in the Gaol of the Home District, praying to be put on the same footing with the Insolvent Debtors in Great Britain, was then read.

Agreeably to notice, Mr. Pattie, seconded by Mr. Willson, of Wentworth, moves that the Journals of this House for the year 1820, so far as they relate to the Petition of Thomas Mears and John McDonell, Esquires, and the proceedings thereon, be now read by the Clerk of this House. Which was carried.

To the Honorable the Commons House of Upper Canada, in Provincial Parliament assembled.

The Petition of John McDonell and Thomas Mears, Esquires,

Humbly Sheweth: That Your Petitioners were appointed Commissioners for the Branch Roads in the District of Ottawa in the year 1816.

That in the execution of the duty thus entrusted to them they gave a number of contracts, and had parties at daily and monthly wages, headed by overseers, working in the said roads.

That from the great length and variety of the Roads your Petitioners had to labour upon in conformity to the Act, the money allowed was found insufficient to join and connect the whole.

That to remedy the deficiency and render the said roads of use to the Public by joining and connecting them, your Petitioners laid out the sum of Two Hundred and Eight Pounds, Eighteen Shillings and Sevenpence currency of their own money, as will appear by their accounts lodged in the Lieutenant Governor's Office in February, 1817.

That other Commissioners under the Act of 1817 who laid out their own money in aid of the Provincial funds entrusted to their management have been remunerated by the Legislature by an Act passed on the 27th November, 1818, in which Your Petitioners were not included.

Wherefore Your Petitioners humbly crave that they may be allowed the aforesaid sum of £208 18s. 7d. currency from the first moneys to be issued out of the Provincial Chest.

And Your Petitioners, as in duty bound, will ever pray.

John McDonell,
Thomas Mears,
By his Attorney, Thos. Mears.

York, 23rd Feby., 1820.

Mr. McMartin, seconded by Mr. Burwell, moves that the Petition of Thomas Mears and John McDonell, Esquires, in the Ottawa District, be submitted to a Select Committee, to report thereon by Bill or otherwise, and that Messrs. Burnham, Casey and Nellis do constitute the same. Which was ordered.

Mr. Burnham, from the Committee to report on the Petition of John McDonell and Thomas Mears, Esquires, of the Ottawa District, made the following report, which was read as follows:

To the Honorable the Commons House of Assembly, in Provincial Parliament assembled.

The Report of Your Committee upon the Petition of John McDonell and Thomas Mears, Esquires, Commissioners of Branch Roads for the District of Ottawa, appointed by virtue of an Act passed in the fifty-sixth year of His Majesty's Reign.

It appears by the accounts and vouchers laid before the Committee of the receipt and expenditure of the money granted to the Ottawa District by the above recited Act, that the said Commissioners have expended for the improvement of roads in the said District the sum of Two Hundred and Eight Pounds, Eighteen Shillings and Sevenpence, over and above what they received from the Provincial Treasury, which sum of Two Hundred and Eight Pounds, Eighteen Shillings and Sevenpence, Your Committee is of opinion ought to be paid to the said John McDonell and Thomas Mears out of the first money granted for the improvement of roads in the Ottawa District.

Mr. Pattie, seconded by Mr. Clark, of Lincoln, moves that part of the Journals of this House for the year 1820 just read be referred to a Select Committee, with leave to report by Bill or otherwise, and that Messrs. Rogers and Willson, of Prince Edward, do compose the said Committee. Which was ordered.

Dr. Baldwin, seconded by Mr. Wilmot, moves that the Petition of the Insolvent Debtors in the Gaol of the Home District be referred to a Select Committee and that Messrs. Jones, of Grenville, and Hagerman do constitute the said Committee, and that they have leave to report by Bill or otherwise. Which was ordered.

Agreeably to the order of the day, the debate on Mr. Nichol's motion of the 20th instant, relative to the proceeds of forfeited Estates, was proceeded with.

Mr. Hagerman, seconded by Mr. McLean, of Stormont, moves that the further consideration of the Resolution be deferred till Friday next. Which was carried.

Agreeably to the order of the day, the House went into Committee on the State of the Province, Mr. Gates in the chair.

The House resumed. Mr. Gates reported progress, and asked leave to sit again to-morrow. Ordered that the Report be received, and the leave was granted accordingly.

Mr. Nichol, from the Committee appointed to look into the consideration of the Petition of John Boswell, Esquire, reported that the Committee had agreed to a Bill which he was directed to submit for the concurrence of the House. Ordered that the Report be received, and the Bill was read the first time.

Mr. Nichol, seconded by Mr. Gordon, moves that the Bill to provide for the relief of John Boswell, Esquire, be read a second time to-morrow. Which was ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. Gates, moves for leave to bring in a Bill to appropriate a sum of money for the support of Schools and payment of a Sheriff's salary within the District of Bathurst. Which was carried and the Bill read.

Mr. Morris, seconded by Mr. Gates, moves that the Bathurst Schools and Sheriffs' Appropriation Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Ottawa School Bill, Mr. Wilmot in the chair.

The House resumed. Mr. Wilmot reported the Bill as amended. Ordered that the Report be received.

Mr. Pattie, seconded by Mr. Clark, of Lincoln, moves that the Bill to establish a Public School in the District of Ottawa be engrossed and read a third time to-morrow. Which was ordered.

Mr. Hagerman gives notice that he will, on Wednesday next, move certain Resolutions in relation to the obtaining a loan of £50,000 Sterling, to enable His Majesty's Government to make remuneration to persons who have sustained losses during the late War with the United States of America.

Mr. Wilmot gives notice that he will, on Wednesday next, move for leave to bring in a Bill to prohibit the sale of Spirituous Liquors to Indians within the organized Counties or Townships within this Province.

The House then adjourned till twelve o'clock to-morrow.

Tuesday, 28th January, 1823.

The House met: Prayers were read: The minutes of yesterday were read.

Mr. Hagerman, seconded by Mr. Bostwick, moves for leave to bring up the Petition of Thomas Markland, Esquire, and others. Which was granted, and the Petition was brought up.

Agreeably to the order of the day, the Ottawa School Bill was read the third time.

Mr. Pattie, seconded by Mr. White, moves that the Bill do now pass, and that it be intituled "An Act to provide for the establishment of a Public School in the District of Ottawa." Which was carried, and the Bill signed.

Mr. Morris, seconded by Mr. Casey, moves that Messrs. Pattie and Clark be a Committee to carry up to the Honorable the Legislative Council the Ottawa District School Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petition from William B. Willson and others, praying for Legislative Assistance to procure the Public Money due them as Teachers of Common Schools in the District of Niagara, was read.

Mr. Clark, of Lincoln, seconded by Mr. Wilmot, moves that the Petition of William B. Willson and others be referred to a Select Committee composed of Messrs. Hamilton, of Wentworth, Crooks and Kerr, and that the said Committee have power to send for persons or papers and to report by Bill or otherwise. Which was ordered.

Agreeably to notice, Mr. Crooks, seconded by Mr. Ruttan, moves for leave to bring in a Bill to import, free from duty, machinery for the purpose of cleaning Hemp and Flax, and other articles for exportation. Which was granted, and the Bill read.

Mr. Crooks, seconded by Mr. Ruttan, moves that the Hemp and Flax Machinery Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Boswell Relief Bill was read the second time.

Mr. Nichol, seconded by Mr. Pattie, moves that the House do now resolve itself into a Committee of the Whole, to take the Bill for the Relief of John Bos-

well into consideration. Which was carried, and Mr. Bostwick took the Chair of the Committee.

The House resumed. Mr. Bostwick reported the Bill without amendment. Ordered that the Report be received.

Mr. Nichol, seconded by Mr. Pattie, moves that the Bill for the Relief of John Boswell be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the state of the Province, Mr. Gates in the Chair.

The House resumed. Mr. Gates reported progress, and asked leave to sit again on Monday next. Ordered that the Report be received, and leave was granted accordingly.

Mr. Jones, of Grenville, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House respecting Boundary Lines, reported that they had delivered the same, to which His Excellency was pleased to make the following reply:

Gentlemen of the House of Assembly: I regret that it is not in my power to afford you any information of the subject of your Address, as I have not hitherto received any official communication from His Majesty's Government relative to the proceedings of the Commissioners under the Treaty of Ghent. 28th January, 1823.

Agreeably to the order of the day, the Bathurst School Bill was read the second time.

Mr. Morris, seconded by Mr. Shaver, moves that the House do now resolve itself into a Committee of the Whole on the Bill to appropriate a sum of money towards the support of Schools, and the payment of a Sheriff's salary within the District of Bathurst. Which was carried. Mr. Willson, of Wentworth, was called to the Chair of the Committee.

The House resumed. Mr. Willson reported the Bill as amended. Ordered that the Report be received.

Mr. Morris, seconded by Mr. Hamilton, of Lincoln, moves that the Bathurst School and Sheriffs' Appropriation Bill be engrossed, and read a third time to-morrow. Which was ordered.

Dr. Baldwin gives notice that he will, on Thursday next, move for leave to bring in a Bill for the better declaring of the Law relative to the sale of Real Estate upon Judgments and Executions in His Majesty's Courts in this Province.

Mr. Peterson gives notice that he will, on Monday next, move for leave to bring in a Bill for the relief of Religious Societies.

Mr. Crooks gives notice that he will, on Thursday next, move for leave to bring in a Bill repealing so much of the second section of the Act of 59th Geo. III, Chap. 7, as fixes the value of lands in this Province, and substituting others instead thereof.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 29th January, 1823.

The House met: Prayers were read: The minutes of yesterday were read.

Mr. Hamilton, of Wentworth, seconded by Mr. Clark, of Lincoln, moves for leave to bring up the Petition of John Law and others, of the County of Wentworth. Which was granted, and the Petition brought up.

Mr. Jones, of Leeds, seconded by Mr. Pattie, moves for leave to bring up the Petition of Thomas Dousley. Which was granted, and the Petition brought up.

Agreeably to the order of the day, the Boswell Relief Bill was read the third time.

Mr. Nichol, seconded by Mr. Pattie, moves that the Bill do now pass, and that it be intituled "An Act for the Relief of John Boswell." Which was carried, and the Bill signed.

Mr. Burwell, seconded by Mr. Gates, moves that Messrs. Nichol and Hamilton, of Wentworth, be a Committee to carry up to the Honorable the Legislative Council the Boswell Relief Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Bathurst School Bill was read the third time.

Mr. Morris, seconded by Mr. Rogers, moves that the Bathurst Schools and Sheriffs' Appropriation Bill be re-committed to-morrow. Which was ordered.

Mr. Nichol, seconded by Mr. Pattie, moves that it be an instruction to the Committee on the Bathurst School Bill, that they separate the provision for District and Common Schools and for Sheriffs, and provide for the said purposes contained in the said Bill by separate Bills. Which was ordered.

Agreeably to the order of the day, the Petition from the Magistrates of the Home District, in General Quarter Sessions assembled, praying that an Act may be passed permitting the application of the available funds of the District towards erecting a Gaol and Court House; and also sanctioning a Loan of £2,500 in aid of the Revenue for that purpose, was read.

Mr. McDonell gives notice that he will, on to-morrow, move for leave to bring in a Bill founded on the prayer of the foregoing Petition.

Agreeably to the order of the day, the House again took into consideration the Message from His Excellency of the 21st instant.

Mr. Nichol, seconded by Mr. Gordon, moves that the Messages of His Excellency the Lieutenant Governor of the 21st January instant be referred to a Committee of Supply. Which was ordered.

Mr. Nichol, seconded by Mr. Gordon, moves that the House do now resolve itself into a Committee of the Whole, on Supply, to take the said message into consideration. Which was ordered. Mr. Walsh took the Chair of the Committee.

The House resumed. Mr. Walsh reported that the Committee had agreed to three several Resolutions, which he was directed to submit for the adoption of the House, which were read.

Mr. Hagerman, seconded by Mr. Bostwick, moves that the Resolutions of the Committee of the Whole House on His Excellency the Lieutenant Governor's Message of the 21st January, 1823, be concurred in.

On the question for concurrence the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Pattie, Nichol, Clark (Lincoln), Willson (Wentworth), Hamilton (Wentworth), Wilmot, Willson (Prince Edward), Horner, Hamilton, (Lincoln), Clark (Lenox and Addington), Chisholm, Ruttan, Rogers, Crooks, Burwell, Gates, Kerr, Bostwick, Hagerman, Morris, McDonell, Shaver, Jones (Grenville), McLean (Stormont).

Nays: Messrs. Gordon, Jones (Leeds), Randal, Peterson, Baldwin, White.

The question was carried in the affirmative by a majority of eighteen, and it was:

Resolved: That it is the opinion of this House that until a distribution of the funds arising from the sale of the Forfeited Estates can be made in conformity

with the laws now in force, to the Sufferers by the late War, it is expedient that provision be made for investing the same in Debentures or other securities, issued under the authority of Provincial enactments, the interest on which to accumulate and be employed in augmenting the said fund.

Resolved: That in order to meet His Majesty's gracious intention, and in order as far as possible to indemnify the loyal people of this Province for the losses they have sustained in consequence of the said War, it is expedient, if practicable, to provide for the payment of the sum of £2,500 sterling annually, to defray the interest on a loan of £50,000 sterling, to be applied to that object.

Mr. Hagerman, seconded by Mr. Bostwick, moves that so much of the foregoing Resolutions as relate to the raising of money be referred to the Committee of Ways and Means. Which was ordered.

At two o'clock p.m., Mr. Lee, the Gentleman Usher of the Black Rod, came to the Bar and delivered the Commands of His Excellency the Lieutenant Governor for the immediate attendance of this House at the Bar of the Honorable the Legislative Council Chamber, and having withdrawn:

Mr. Speaker and the House forthwith proceeded to the Bar of the Honorable the Legislative Council Chamber; and having returned:

Mr. Speaker reported that His Excellency the Lieutenant Governor had been pleased to give the assent in His Majesty's name to the Bill intituled "An Act to provide for the establishment of Courts in the District of Bathurst, and for other purposes therein mentioned," and to the Bill intituled "An Act to amend and extend the provisions of an Act passed in the second year of His Majesty's Reign, intituled 'An Act to make provision for the improvement of the Internal Navigation of this Province.'"

Mr. Nichol, from the Committee to carry up to the Honorable the Legislative Council the Boswell Relief Bill, and to request their concurrence thereto reported that they had done so.

Agreeably to the order of the day, the House went into consideration of Mr. Jones, of Grenville, Resolution of the 19th inst., respecting the Banking Institutions in this Province. The Resolution was then moved as follows:

Resolved: That a Select Committee be appointed with power to send for persons and papers, to take into consideration the Banking Institutions in this Province, and the Paper Currency circulated therein. Which was carried.

Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that Messrs. Hagerman, Nichol and Morris do compose the Banking Committee, with leave to report by Bill or otherwise. Which was ordered.

Agreeably to notice, Mr. Wilmot, seconded by Mr. Willson, of Prince Edward, moves for leave to bring in a Bill to prohibit the sale of Spirituous Liquors to Indians within the organized Counties and Townships within this Province. Which was granted, and the Bill read.

Mr. Wilmot, seconded by Mr. Willson, of Prince Edward, moves that the Liquor Restraint Bill be read the second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Hemp Machinery Bill was read the second time.

Mr. Crooks, seconded by Mr. Bostwick, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Bill permitting the importation of Machinery for cleaning Hemp and Flax and other articles of produce, into this Province, free from duty. Which was carried, and Mr. Morris took the Chair of the Committee.

The House resumed. Mr. Morris reported the Bill without amendment. Ordered that the Report be received.

Mr. Crooks, seconded by Mr. Bostwick, moves that the Machinery Importation Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to notice, Mr. Hagerman, seconded by Mr. Bostwick, moves that Messrs. Jones, of Grenville, Nichol, Baldwin, McLean, of Stormont, and Gordon be a Committee to take into consideration the Administration of Justice within this Province, and to report by Bill or otherwise, and with power to send for persons and papers. Which was ordered.

Mr. Baldwin gives notice that he will, on Monday next, move for leave to bring in a Bill for the protection of families and properties of incorrigible drunkards from violence and waste.

Mr. McLean, of Stormont, gives notice that he will, on Friday next, move for leave to bring in a Bill to extend the provisions of the Laws of this Province relating to Heirs, Devisees and Assignees of the original Nominees of the Crown.

The House then adjourned till twelve o'clock to-morrow.

Thursday, 30th January, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the Hemp Machinery Bill was read the third time.

Mr. Crooks, seconded by Mr. Hamilton, of Lincoln, moves that the Bill do now pass, and that it be intituled "An Act to permit the importation of Machinery into this Province free from duty for a limited time." Which was carried, and the Bill signed.

Mr. Crooks, seconded by Mr. Hamilton, of Lincoln, moves that Messrs. Ruttan and Walsh be a Committee to carry up to the Honorable the Legislative Council the Hemp and Flax Machinery Importation Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petition from Thomas Markland, Esquire, and others, of the Town of Kingston, praying for legislative aid for the purchasing of books for promotion of Sunday Schools, was read.

Agreeably to notice, Mr. Ruttan, seconded by Mr. Clark, of Lenox and Addington, moves for leave to bring in a Bill for the establishment of a uniformity of Weights and Measures throughout this Province. Which was granted, and the Bill read.

Mr. Ruttan, seconded by Mr. Clark of Lenox and Addington, moves that the Weight and Measure Bill be read a second time to-morrow. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Crooks, moves that it be resolved that an humble Address be presented to His Excellency, the Lieutenant Governor, praying His Excellency to lay before this House any information in his power to communicate relative to the Journals to be procured from England, and if the money advanced to the late Provincial Agent, William Halton, Esquire, deceased, has been applied to the purpose for which it was so advanced, or has been placed at the disposal of His Majesty's Government. Which was carried.

Mr. Nichol, seconded by Mr. Clark of Lincoln, moves that Messrs. Burwell and Crooks be ordered to draw up an Address to His Excellency, the Lieutenant Governor, in conformity to the preceding resolution, and to report the same to the House. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Register Bill, Mr. Randal in the Chair.

The House resumed. Mr. Randal reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House.

Ordered, that the Report be received, and it was

Resolved, That it is the opinion of this House that the Chairman of the Committee on the Registry Amendment Bill be directed to move that the same be referred to a Select Committee, to consider of such amendments as may be necessary to be made therein, and to report thereon to the House.

Mr. Randal, seconded by Mr. Nichol, moves that the Registry Amendment Bill be referred to a Select Committee to consider of such amendments as may be necessary to be made therein, and that the said Committee do report thereon to the House. Which was ordered.

Mr. Randal, seconded by Mr. Nichol, moves that Messrs. Rogers, Walsh, Ruttan and Burwell be appointed to the said Committee.

In amendment, Mr. Rogers, seconded by Mr. Baby, moves that the name of Rogers be expunged, and that Messrs. Willson of Wentworth, Hagerman and Crooks be added to the Committee. Which was carried, and the original question as amended was then put and carried.

Mr. Burwell, from the Committee appointed to draft an Address to His Excellency, the Lieutenant Governor, on the subject of the Journals, reported a draft, which was received and read the first time.

Mr. Burwell, seconded by Mr. Crooks, moves that the Fifth Rule of this House be dispensed with in so far as relates to the Address to His Excellency, the Lieutenant Governor, respecting the Journals, and that the said Address be now read a second time. Which was carried, and the Address was read the second time.

Mr. Burwell, seconded by Mr. Crooks, moves that the House do now go into Committee on the Address to His Excellency, the Lieutenant Governor, respecting the Journals. Which was carried, and Mr. Burwell took the Chair of the Committee. The House resumed. Mr. Burwell reported the Address without amendment. Ordered, that the report be received.

Mr. Burwell, seconded by Mr. Crooks, moves that the Address to His Excellency, the Lieutenant Governor, respecting the Journals, be engrossed, and read a third time this day. Which was ordered.

Agreeably to notice, Mr. Baldwin, seconded by Mr. Wilmot, moves for leave to bring in a Bill the better to declare the Law in certain cases of the sale of Lands and Tenements by the Sheriff under Execution. Which was granted, and the Bill read.

Mr. Baldwin, seconded by Mr. Wilmot, moves that the Bill the better to declare the Law relative to the sale of Lands and Tenements in certain cases by the Sheriff under Execution be read a second time to-morrow. Which was ordered.

Agreeably to notice, Mr. Hagerman, seconded by Mr. McDonell, moves for leave to bring in a Bill to provide for the erection of a Gaol and Court House in and for the Home District. Which was granted, and the Bill read.

Mr. McDonell, seconded by Mr. Hagerman, moves that the Home District Gaol and Court House Bill be read a second time on Monday. Which was ordered.

Agreeably to the order of the day, the Liquor Selling Restraint Bill was read the second time.

Mr. Wilmot, seconded by Mr. Willson of Prince Edward, moves that the House do now resolve itself into a Committee of the Whole, to take into con-

sideration the Liquor Restraint Bill. Which was carried, and Mr. Crooks took the Chair of the Committee. The House resumed, the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to provide for the establishment of a Public School in the District of Ottawa," which they had passed without amendment, and withdrew.

Mr. Secretary Hillier brought down from His Excellency, the Lieutenant Governor, several messages and the Public Accounts for the year 1822, and, having withdrawn, the Speaker read the same as follows:

P. Maitland.

The Lieutenant Governor transmits to the House of Assembly, in compliance with an Address of the last Session, an abstract of such Public Accountants as were in arrear at the period of the Address, and of the sums since paid by them into the public Treasury.

30th January, 1823.

P. Maitland.

The Lieutenant Governor transmits to the House of Assembly, in compliance with an Address of the last Session, an abstract of public moneys advanced to individuals, &c., to be accounted for when disbursed; and has given directions that such detailed accounts of the same as have not hitherto been submitted to the Legislature shall be laid before it as soon as they are received.

30th January, 1823.

P. Maitland.

The Lieutenant Governor, in transmitting to the House of Assembly the Public Accounts of the last year, together with the Estimates for the service of the current year, thinks proper to remark the beneficial effects of the late enactment for the revision of Militia Pensions, by which the sum required for that branch of the public expenditure has been reduced to less than one-third of its former amount.

30th January, 1823.

Mr. Nichol, seconded by Mr. Gordon, moves that the Public Accounts and other Documents, transmitted to this House by His Excellency, the Lieutenant Governor, by his message of this date, be referred to a Select Committee of seven persons, and that the said Committee be chosen by ballot to-morrow.

In amendment, Mr. Jones of Grenville, seconded by Mr. Burwell, moves that after the word "accounts" the whole be expunged, and the following words inserted, "for the last year be referred to the Committee already appointed on detailed accounts." Which was carried, and the original question as amended was then put and carried.

Mr. Jones of Leeds, seconded by Mr. Clark of Lincoln, moves that so much of His Excellency, the Lieutenant Governor's messages of this day as relate to accounts in arrear and accounts not rendered be referred to a Committee of the Whole House on Tuesday next. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that Fifty Copies of the Detailed Public Accounts for the last year, transmitted to this House, be printed, and a copy furnished for each member. Which was ordered.

Mr. Ruttan, from the Committee to carry up to the Honorable the Legislative Council the Hemp and Flax Machinery Importation Bill, and to request their concurrence, reported they had done so.

The House went again into Committee on the Liquor Selling Restraint Bill, Mr. Crooks in the Chair.

The House resumed. Mr. Crooks reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House.

Ordered, that the Report be received, and it was

Resolved, That the Chairman be directed to move the House that the Bill for limiting the sale of Spirituous Liquors to Indians be referred to a Select Committee.

Agreeably to the order of the day, the Address to His Excellency, the Lieutenant Governor, on the subject of the Journals, was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, &c., &c.

May it please Your Excellency:

We, His Majesty's most dutiful and loyal subjects, the Commons House of Assembly of Upper Canada, in Provincial Parliament assembled, most humbly beg leave to request that Your Excellency will be pleased to direct the proper officer to lay before this House any information in the power of Your Excellency to communicate relative to the Journals to be procured from England, and if the money advanced to the late Provincial Agent, William Halton, Esquire, deceased, has been applied to the purpose for which it was so advanced or had been placed at the disposal of His Majesty's Government.

Commons House of Assembly, LEVIUS P. SHERWOOD, Speaker.
30th January, 1823.

Mr. Burwell, seconded by Mr. Crooks, moves that Messrs. Nichol and Gordon be ordered to wait upon His Excellency, the Lieutenant Governor, with the Address of this House respecting the procuring of the Journals from England, to know when he will be pleased to receive it, and to present the same. Which was ordered.

Mr. Crooks, seconded by Mr. Wilson of Wentworth, moves that the Bill to restrain the selling of Spirituous Liquors to Indians be referred to a Select Committee. Which was ordered.

Mr. Willson of Wentworth, seconded by Mr. Walsh, moves that Messrs. Wilmot, Hagerman, Baldwin, Kerr, Hamilton of Wentworth, and Jones of Leeds do form the said Committee. Which was ordered.

Mr. Jones of Leeds gives notice that he will, on Tuesday next, move for leave to bring in a Bill to repeal the third clause of an Act passed in the fifty-sixth year of His late Majesty's Reign intituled "An Act to extend the Jurisdiction of the Court of Requests."

Mr. Hagerman gives notice that he will, on Monday, the 17th day of February, next, move the House into a Committee of Supply.

The House then adjourned until ten o'clock to-morrow.

Friday, 31st January, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Dr. Baldwin, seconded by Mr. Wilmot, moves for leave to bring up the Petition of David Crawford. Which was granted, and the Petition brought up.

Mr. Jones of Grenville, seconded by Mr. Hamilton of Wentworth, moves for leave to bring up the Petition of Benjamin Shell. Which was granted, and the Petition brought up.

Mr. Crooks, seconded by Mr. Hamilton of Lincoln, moves that he have leave to bring up the Petition of Sundry Inhabitants of the District of Gore and others. Which was granted, and the Petition brought up.

Agreeably to the order of the day, the Representation of the Inhabitants of the County of Wentworth, respecting the proposed Union of the Legislatures of Lower and Upper Canada, and the Petition of Thomas Dowsley, praying for legislative assistance to enable him to traverse an inquisition and establish a just claim to certain lands, were read.

Mr. Jones of Leeds, seconded by Mr. Pattie, moves that the Petition of Thomas Dowsley be referred to the Select Committee on the Petition of John Clement. Which was ordered.

Mr. McLean of Stormont, seconded by Mr. Hamilton of Wentworth, moves that the Petition of Sundry Inhabitants of the County of Wentworth be referred to the Committee of the Whole House on the state of the affairs of the Province. Which was ordered.

Mr. Pattie, from the Committee to whom was referred the Petition and proceedings as recorded on the Journals of 1820, relative to Messrs. Mears and McDonell of the Ottawa District, informed the House that the Committee had reported the Bill, which was received and read the first time.

Mr. Pattie, seconded by Mr. Rogers, moves that the Bill to provide for the reimbursement of Thomas Mears and John McDonell, Esquires, be read a second time on Tuesday next. Which was ordered.

Agreeably to notice, Mr. Hagerman, seconded by Mr. Burwell, moves for leave to bring in a Bill for licensing Ale Houses within this Province. Which was granted, and the Bill read.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Bill for Licensing Ale Houses in certain Towns and Villages within this Province be read a second time on Monday next. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Bathurst District School Bill, Mr. Horner in the Chair.

The House resumed. Mr. Horner reported that the Committee had divided the Bathurst School Bill into three distinct Bills as follows:

The Bathurst District School Bill, the Bathurst Common School Bill, and the Bathurst Sheriff's Bill. Ordered that the Report be received.

Mr. Jones of Grenville, seconded by Mr. McDonell, moves that the Bathurst Sheriff's Bill be engrossed and read a third time on Monday next. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. McDonell, moves that the Bathurst Common School Bill be engrossed and read a third time on Monday next. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. McDonell, moves that the Bathurst District School Bill be engrossed and read a third time on Monday next. Which was ordered.

Agreeably to the order of the day, the Weights and Measures Bill was read the second time.

Mr. Ruttan, seconded by Mr. Clerk of Lenox and Addington, moves that the House do now resolve itself into a Committee of the Whole upon the Bill for establishing an uniformity of Weights and Measures throughout the Province. Which was carried, and Mr. Kerr took the Chair of the Committee.

The House resumed. Mr. Kerr reported progress, and asked leave to sit again on Tuesday next. Ordered that the Report be received, and leave was accordingly granted.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act for the relief of John Boswell," which they had passed with some amendments, and which he was directed to recommend to the adoption of this House; and he having withdrawn the Speaker read the amendments as follows:

Amendments made by the Honorable the Legislative Council in and to the Bill intituled "An Act for the Relief of John Boswell":

Press. 1, line 13, after "he" expunge "emigrated" and insert "come into." Press. 2, line 5, after "that" expunge the remainder of the Bill and insert "anything in the said Act, to the contrary notwithstanding, the Court of King's Bench may, at its discretion, admit the said John Boswell to practice as an Attorney in this Province."

"And be it further enacted by the authority aforesaid that the Law Society may, at its discretion, receive into the same and introduce to the Court of King's Bench as a Barrister the said John Boswell, and thereupon being received at the Bar of the Court of King's Bench he shall henceforth be authorized to practice the profession of Law as fully to all intents and purposes as any Barrister now practices the same in this Province."

Mr. Nichol, seconded by Mr. Gordon, moves that the amendments made by the Honorable the Legislative Council in and to the Bill intituled "An Act for the Relief of John Boswell" be read a second time on Monday. Which was ordered.

Agreeably to the order of the day, the Sale of Lands Bill was read the second time.

Dr. Baldwin, seconded by Mr. Wilmot, moves that the House do now resolve itself into a Committee of the Whole on the Sale of Lands Bill. Which was carried, and Mr. Burwell took the Chair of the Committee.

The House resumed. Mr. Burwell reported progress, and obtained leave to sit again this day fortnight. Ordered that the Report be received, and leave was granted accordingly.

The House then adjourned till twelve o'clock on Monday next.

Monday, 3rd February, 1823.

The House met. Prayers were read. The Minutes of Saturday were read.

Dr. Baldwin, seconded by Mr. Horner, moves for leave to bring up the Petition of Jacob Smith, of the Town of York. Which was granted, and the Petition was brought up.

Mr. Jones of Leeds, seconded by Mr. Willson of Wentworth, moves for leave to bring up the Petition of the Rev. William Smart and others of the District of Johnstown. Which was granted, and the Petition was brought up.

Mr. Willson of Wentworth, seconded by Mr. Peterson, moves for leave to bring up the Petition of the Freeholders of the First Riding of the County of Wentworth. Which was granted, and the Petition was brought up.

Agreeably to the order of the day, the Bathurst District School Bill was read the third time.

Mr. Jones, of Grenville, seconded by Mr. Burwell, moves that the Bill do now pass, and that it be intituled "An Act granting to His Majesty a sum of money for the support of a Public School in the Bathurst District." Which was carried and the Bill signed.

Mr. Jones, of Grenville, seconded by Mr. Burwell, moves that Messrs. McLean, of Stormont, and Kerr be a Committee to carry up to the Honorable the Legislative Council the Bathurst District School Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Bathurst Common School Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that the Bill do now pass, and that it be intituled "An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District." Which was carried, and the Bill signed.

Mr. Jones, of Grenville, seconded by Mr. Burwell, moves that Messrs. McLean, of Stormont, and Kerr be a Committee to carry up to the Honorable the Legislative Council the Bathurst District Common Schools Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Bathurst Sheriff's Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that the Bill do now pass, and that it be intituled "An Act granting to His Majesty a sum of money to be applied in the payment of a salary to the Sheriff of the Bathurst District." Which was carried and the Bill signed.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that Messrs. McLean of Stormont and Kerr be a Committee to carry up to the Honorable the Legislative Council the Bathurst District Sheriff's Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petition of David Crawford, praying for a Pension; the Petition of Benjamin Shell, praying for relief in the premises; and the Petition from the Inhabitants of the District of Gore, praying for Legislative Aid for the purpose of cutting a canal through the Beach at the head of the Lake, so as to admit of shipping going into Burlington Bay, were then read.

Dr. Baldwin, seconded by Mr. Horner, moves that the Petitions of Susannah Kendrick and David Crawford be referred to Messrs. Wilmot and McDonell, to report thereon by Bill or otherwise. Which was ordered.

Mr. Crooks, seconded by Mr. Jones, of Grenville, moves that the Petition of sundry Inhabitants of the District of Gore and others, on the subject of opening a passage for vessels from Lake Ontario into Burlington Bay, be printed, and one Copy furnished to each Member of this House. Which was ordered.

Mr. Nichol, seconded by Mr. Kerr, moves that it be resolved that a paragraph inserted in the "Observer," a Newspaper published in the Town of York, in the following words, "The House was occupied for two days debating upon a string of "Resolutions proposed by Mr. Nichol, declaring foreign Protestants (who through "ignorance have not conformed with the provisions of the Laws) incapable of

"holding lands as natural born subjects. The Debate was adjourned to a future "day," is a false, scandalous and malicious libel, highly reflecting on the proceedings of this House, and particularly on one of its Members, and that it is a breach of the Privileges of this House.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Hamilton (Lincoln), McDonell.

Nays: Messrs. McLean (Stormont), Jones (Leeds), Gordon, Pattie, Randal, Wilson, Peterson, Wilmot, Willson (Wentworth), Baldwin, White, Horner, Walsh, Clark (L. & A), Baby, Hamilton (Wentworth), VanKoughnet, Burwell, Hagerman, Bostwick, Casey, Shaver, Kerr, Jones (Grenville).

The question was carried in the negative by a majority of twenty-one, and lost accordingly.

Mr. McLean of Stormont, from the Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act granting to His Majesty a sum of money for the support of a Public School in the Bathurst District," and the Bill intituled "An Act granting to His Majesty a sum of money to be applied to the payment of a salary to the Sheriff of the Bathurst District," and the Bill intituled "An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District," and to request their concurrence thereto, reported that they had done so.

Agreeably to notice, Mr. Kerr, seconded by Mr. Jones, of Grenville, moves for leave to bring in a Bill to grant a Bounty on the Manufacture of Salt within this Province, and to provide for the exportation of the same. Which was granted, and the Bill was read.

Mr. Kerr, seconded by Mr. McLean, of Stormont, moves that the Salt Bounty and Inspection Bill be read a second time to-morrow. Which was ordered.

Mr. Nichol, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House respecting the Journals expected from England, reported that they had delivered the same, to which His Excellency was pleased to make the following reply:

Gentlemen of the House of Assembly:

The Commissioners in England, having in compliance with my desire received from the Representative of the late Provincial Agent the copies of the Journals referred to in your Address, in order that they might be transmitted for the use of the respective branches of the Legislature, it is presumed that the sum voted to defray the expense of preparing them has been applied to that object, although no detailed account has hitherto been received.

Agreeably to the order of the day, the House went into Committee on the State of the Province, Mr. Rogers in the Chair.

The House resumed. Mr. Rogers reported that the Committee had agreed to several Resolutions, which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow.

Ordered that the Report be received and leave granted, and it was

Resolved, That it is the opinion of this Committee that the Chairman be directed to move that it be resolved that by the Laws now in force in this Province, all Foreign Protestants are admissible to become Settlers therein on conforming to the provisions contained in the said Laws, and that on having done so may hold lands and enjoy all privileges and immunities of natural born subjects.

Secondly, That from ignorance of the Law and unavoidable difficulties, many Inhabitants of the Province otherwise qualified have neglected or been unable to qualify themselves according to the Law, by which means they cannot legally exercise and enjoy the rights of Subjects within the same.

Thirdly, That some Legislative Provision is absolutely necessary for quieting the minds of all such persons, and securing to them the enjoyment of their rights and properties as His Majesty's Subjects.

Fourthly, That this Provision can only be made by the Imperial Parliament.

Fifthly, And that an Humble Address be presented to His Excellency the Lieutenant Governor, praying him to transmit the foregoing Resolutions to His Majesty's Government, with the humble request that His Excellency will make such representation of the subject as may induce His Majesty's Ministers to submit the same to the early consideration of Parliament.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that the Resolutions of this House on the subject of Foreign Protestants coming into this Province, be communicated to the Honorable the Legislative Council, and the concurrence of that House requested.

On which the House divided, and the Yeas and Nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Gordon, McLean (Stormont), Nichol, Crooks, Wilmot, Willson (P. E.), Clark (L. & A.), Ruttan, Horner, Jones (Grenville), Baby, Burwell, Hagerman, Hamilton (Lincoln), Morris, Casey, Shaver, Bostwick.

Nays: Messrs Randall, Willson (Wentworth), Peterson, Pattie, Baldwin, White, Walsh, Rogers, Hamilton (Wentworth).

The question was carried in the affirmative by a majority of ten, and ordered accordingly.

Mr. Nichol, seconded by Mr. Gordon, moves that Messrs Burwell and Bostwick be ordered to carry up to the Honorable the Legislative Council the Resolutions respecting Foreign Protestants, and to request their concurrence therein. Which was ordered.

Agreeably to notice, Mr. Peterson, seconded by Mr. Wilmot, moves for leave to bring in a Bill for the Relief of Religious Societies. Which was granted and the Bill read.

Mr. Peterson, seconded by Mr. Wilmot, moves that the Bill for the relief of Religious Societies be read a second time to-morrow. Which was ordered.

Agreeably to notice, Dr. Baldwin, seconded by Mr. Crooks, moves for leave to bring in a Bill to protect the families and property of incorrigible drunkards from violence and waste. Which was granted and the Bill read.

Dr. Baldwin, seconded by Mr. Rogers, moves that the Protection Bill in case of Drunkenness be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Alehouse Bill was read the second time.

Mr. Hagerman, seconded by Mr. Casey, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Ale House Bill. Which was carried, and Mr. Casey took the Chair of the Committee.

The House resumed. Mr. Casey reported progress and obtained leave to sit again to-morrow. Ordered that the Report be received.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council in and to the Boswell Relief Bill were read the second time.

Mr. Nichol, seconded by Mr. Randal, moves that this House do concur in the amendments made by the Honorable the Legislative Council in and to the Boswell Relief Bill. Which was carried and the amendments signed by the Speaker.

Mr. Nichol, seconded by Mr. Randal, moves that Messrs. Burwell and Bostwick be a Committee to acquaint the Honorable the Legislative Council that this House have concurred in the amendments made by them in and to the Boswell Relief Bill Which was ordered.

Mr. Jones, of Grenville, gives notice that he will on to-morrow, move for leave to bring in a Bill to repeal the Law now in force for the Trial of Controverted Elections, and to make other provisions for such Trials.

Mr. Hagerman gives notice that he will on to-morrow, move that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor, thanking him for his gracious message transmitting to this House the extract of a dispatch from His Majesty's Secretary of State for the Colonies in reply to the Joint Address of the Legislative Council and House of Assembly to His Majesty, praying that half pay might be granted to the Officers of the late Incorporated Battalion of Militia.

Mr. Willson, of Wentworth, gives notice that he will, on to-morrow, move that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor, requesting that he will direct the proper Officer to lay before this House a Statement of the Claims of Sufferers by the War with the United States, exhibiting the names of all the claimants, the amount of each original respective claim, and the sum finally adjudged to each by the Commissioners for that purpose appointed by His Excellency Francis Gore, Esquire, late Lieutenant Governor of this Province.

The House then adjourned till twelve o'clock to-morrow.

Tuesday, 4th February, 1823.

The House met. Prayers were read. The Minutes of Yesterday were read.

Mr. Rogers, seconded by Mr. Ruttan, moves for leave to bring up two Petitions from sundry Inhabitants of this Province, praying for money to purchase books for Sunday Schools. Which was granted and the Petition brought up.

Mr. Casey, seconded by Mr. Bostwick, moves for leave to bring up the Petition of the Reformed Methodists Society of this Province. Which was granted, and the Petition was brought up.

Mr. Jones, of Leeds, seconded by Mr. Pattie, moves that so much of the order of the day as relates to the accounts in arrear be referred to a Select Committee, to be composed of Messrs. Baldwin, Willson, of Wentworth, Ruttan and Morris, with power to send for persons and papers and report thereon. Which was ordered.

Mr. Nichol, from the Committee to whom were referred certain papers relative to David Pattie, Esq., a Member of this House, informed the House that the Committee had agreed to a Report, which he was directed to submit for their concurrence.

Ordered that the Report be received, and the same was read as follows:

The Committee to whom were referred certain papers tending to exculpate David Pattie, Esq., a Member of Your Honorable House, from certain Imputations brought against him last Session of this Legislature, on which a motion was made for an Address to His Excellency the Lieutenant Governor, praying for certain papers understood to be in his possession, and supposed to contain ground for the said imputation, but negatived, and which appears upon the Journals of your Honorable House; having carefully examined the same find from the certificate of George Sullivan, Esquire, Attorney General of the State of New Hampshire, duly authorized under the Great Seal of the said State, that he was not in Office at the time certain Indictments were preferred against the said David Pattie, Esquire, and

found by the Grand Jury of the County of Hillsborough in May, 1803, nor did he know in what evidence they were found. Further that since the said Attorney General had come into office he had entered a nolle prosequi on each of the Indictments so found, not only on account of the evidence furnished him by the general good character of the said David Pattie, Esq., both before and after said Indictments were found, but because he was satisfied from the inquiry he made there was not sufficient evidence to produce a conviction on either of the said Indictments.

Wherefore Your Committee beg leave to recommend to Your Honorable House that the said motion be expunged from its Journals, and that the said David Pattie, Esq., be furnished by the Clerk with a copy of this Report.

Committee Room, House of Assembly, Feb. 24, 1823.

ROBT. NICHOL, Chairman.

Agreeably to notice, Mr. Jones, of Leeds, seconded by Mr. Pattie, moves for leave to bring in a Bill to repeal the third clause of an Act passed in the fifty-sixth year of the Reign of His late Majesty, intituled "An Act to extend the Jurisdiction of the Court of Requests." Which was granted and the Bill read.

Mr. Jones, of Leeds, seconded by Mr. Pattie, moves that the Bill to repeal the third clause of an Act passed in the 56th year of His late Majesty's Reign, intituled "An Act to extend the Jurisdiction of the Court of Requests," be read a second time to-morrow.

In amendment, Mr. Nichol, seconded by Mr. Gordon, moves that in the original motion the words " to-morrow " be expunged, and " this day three months " inserted. Which was carried.

The original question as amended was then put and carried.

Agreeably to the order of the day, the Home District Gaol and Court House Bill was read the second time.

Dr. Baldwin, seconded by Mr. Wilmot, moves that the House do now resolve itself into Committee of the Whole on the Gaol and Court House Bill. Which was carried, and Mr. Jones, of Leeds, took the chair of the Committee.

The House resumed. Mr. Jones reported the Bill as amended. Ordered that the Report be received.

Dr. Baldwin, seconded by Mr. Walsh, moves that the Gaol and Court House Bill be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Bill for the relief of Messrs. McDonell and Mears of the Ottawa District, was read the second time.

Mr. Pattie, seconded by Mr. Jones, of Leeds, moves that the House do now resolve itself into a Committee, to take into consideration the Bill to provide for the reimbursement of Thomas Mears and John McDonell, Esquires.

In amendment Mr. Gordon, seconded by Mr. Jones, of Grenville, moves that after the word " Committee " the words " this day three months " be inserted. Which was lost.

The original question was then put and carried.

Mr. VanKoughnet was called to the chair of the Committee.

The House resumed. Mr. VanKoughnet reported progress, and asked leave to sit again this day three months. Ordered that the Report be received, and leave was accordingly granted.

Agreeably to the order of the day, the House went into Committee on the Weights and Measures Bill, Mr. Kerr in the Chair.

The House resumed. Mr. Kerr reported progress, and asked for leave to sit again on Thursday next. Ordered that the Report be received, and leave was granted accordingly.

Agreeably to the order of the day, the Salt Inspection Bill was read the second time.

Mr. Kerr, seconded by Mr. Shaver, moves that the House do now resolve itself into a Committee of the whole upon the Salt Bounty and Inspection Bill. Which was carried, and Mr. Hagerman took the chair of the Committee.

The House resumed. Mr. Hagerman reported progress, and asked leave to sit again on Friday next. Ordered that the Report be received, and leave was granted accordingly.

Mr. Jones, of Grenville, seconded by Mr. Hagerman, moves for leave to bring in a Bill to repeal the Law now in force for the Trial of Controverted Elections, and to make further provision for such Trials. Which was granted, and the Bill read.

Mr. Jones, of Grenville, gives notice that he will on Thursday next move for leave to bring in a Bill to repeal the Laws now in force regulating the payment of duties on goods imported into this Province, and to make further and other provision for that purpose.

Mr. Ruttan gives notice that he will, on to-morrow, move that the Petition of the Inhabitants of the Townships of Cramahe in the Newcastle District be referred to a Select Committee.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 5th February, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Walsh, seconded by Mr. Horner, moves for leave to bring in the Petition of Hugh McCall, of Walsingham, in the District of London. Which was granted, and the Petition brought up.

Mr. Jones, of Grenville, seconded by Mr. Gordon, moves that the Election Bill be read a second time on Monday next. Which was ordered.

Agreeably to the order of the day, the Home District Gaol and Court House Bill was read the third time.

Mr. McDonell, seconded by Dr. Baldwin, moves that the Bill do now pass, and that it be intituled "An Act to provide for the erection of a Gaol and Court House in and for the Home District." Which was carried and the Bill signed.

Mr. McDonell, seconded by Mr. Jones, of Grenville, moves that Dr. Baldwin and Mr. White be a Committee to carry up to the Honorable the Legislative Council the Home District Gaol and Court House Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petition of Jacob Smith, of the Township of Etobicoke, praying for the adoption of ways and means to insure him a fair and ample remuneration for the loss of his property, the Petition of William Smart and others of the District of Johnstown, praying for Legislative aid to build a bridge in the Township of Yonge; and the Representation of the Freeholders of the First Riding of the County of Lincoln, objecting to the contemplated union of the Legislatures of Upper and Lower Canada, were read.

Dr. Baldwin, seconded by Mr. Willson, of Prince Edward, moves that the Petition of Jacob Smith be referred to the same Committee to whom was referred the Petitions of Clement, Tuttle and Shell. Which was ordered.

Mr. Rogers, seconded by Mr. Ruttan, moves that the Petition of the Inhabitants of the County of Lincoln be entered upon the journals.

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Gordon, Randal, Peterson, Hamilton (Wentworth), Wilmot, Willson (Prince Edward), Baldwin, White, Walsh, Horner, Clark (Lenox), Ruttan, Rogers, Casey.

Nays: Messrs. Burwell, Pattie, Nichol, Chisholm, Kerr, Gates, Jones (Grenville), Hamilton (Lincoln), Morris, VanKoughnet, McDonell, Shaver, McLean (Stormont), Bostwick.

The question was carried in the affirmative by the casting vote of the Speaker, and ordered accordingly, and the Petition is as follows:

To the Honorable the Commons House of Assembly of Upper Canada in Provincial Parliament Assembled.

We, His Majesty's Faithful Subjects, the undersigned Inhabitants, Freeholders of the First Riding, County of Lincoln, Niagara District, Province of Upper Canada, most humbly beg leave to represent to Your Honorable House the astonishment and serious alarm felt by us on receiving the outlines of a Bill which had been introduced into the House of Commons of the Imperial Parliament, tending to alter our glorious constitution, and unite the two Legislatures of Upper and Lower Canada.

We have observed with the deepest feelings of gratitude and respect that the Honorable House has in its wisdom and justice postponed the consideration thereof to a future period, in order to afford His Majesty's Faithful Subjects in these Provinces an opportunity of expressing their sentiments on a subject of such deep importance to their vital welfare and prosperity.

We, Your Petitioners, humbly beg leave to submit to Your Honorable House that the manifold incapacities, restraints and privations which would accrue to His Majesty's Subjects in this Province from the contemplated union of the Legislatures of the two Provinces are absolutely repugnant to the liberal and comprehensive principles recognized by the happy Constitution they enjoy.

That this measure would produce impolitic restraints, and prove hurtful and vexatious to the feelings of a generous and loyal people; that the total abolition of the same would be found not only compatible with, but highly conducive to, the perfect security of every political establishment in this Colony.

It is the humble opinion of Your Petitioners that the Act of the Imperial Parliament of 1794, giving a Constitution to the Canadas, with the rights, privileges and liberties therein, if not abridged, is sufficient to the happiness and good government of His Majesty's Subjects in this Province.

That the Constitution of this Province, having been enjoyed for more than thirty years and having contributed so largely to the welfare and prosperity of the people, it is hoped that it will not in any case be altered, except by conduct on their part amounting to forfeiture of the same.

That Your Petitioners have uniformly manifested the most uniform attachment to their King and Constitution, and that whoever recommended to His Majesty's Ministers several clauses of the Bill alluded to, must be ignorant of the local wants and circumstances of this Province, and incapable of giving general information to His Majesty's Government thereon.

That the Bill in question, having for its object the union of the Legislatures of the two Provinces with all their Departments, would add to our expense without affording any means beyond what we now possess to effect any object or benefit this Province.

That the clause in the said Bill providing for the eligibility of our Representatives at Five Hundred Pounds Sterling would in many instances amount to a prohibition of the Elective choice of the people inasmuch as some Counties now sending two Members to Parliament would not be able to select qualified persons out of their whole population, and would further tend to increase and prolong an evil well known to exist for many years, namely the keeping huge tracts of wild lands unimproved in the hands of some few individuals with a view to maintain an eligibility to a seat in Parliament, to the great injury of the Settlements now formed, and which are daily forming.

That the clause in the said Bill investing the Executive Government with power to introduce two Members of that body into the Assembly without the exercise of the Elective Franchise is, we believe, without precedent in any Legislative body, and would give an undue influence to the Executive, which, in our opinion, is particularly objectionable in this new Colony, where great talents are not to be generally met with, and that branch already possessing full power and influence.

That Your Petitioners most humbly beg leave to observe that the eighteenth clause in the said Bill which provides for extending the services of the Representatives of the people from four to five years is an unnecessary abridgment of the Elective Franchise, and very much diminishes a very valuable check which they have heretofore possessed over their Representatives.

That Your Petitioners beg leave to remark that in their opinion the 27th clause of said Bill, which provides for the continuance of the salaries or allowances of Officers and other persons in the Legislatures until otherwise provided for by an Act of the Parliament of the Canadas, is highly objectionable, inasmuch as it goes to dispose of the Public Moneys of the Province without the consent of the Representatives of the People.

That Your Petitioners most humbly beg leave to solicit Your Honorable House to take into consideration that the population of the two Provinces being composed of people distinct in their origin, language, manners, customs and religion, a union under any modifications would excite to efforts for ascendancy, create jealousies, animosities, strifes, contentions, and, in our opinion, might terminate in consequences of an alarming nature without answering any one desirable purpose that we can foresee, or counterpoise the least of the many evils which to us appear most obvious.

And your Petitioners beg leave most humbly to observe that they, being deeply anxious that all proper measures should be taken by them in defence of one of the best Constitutions that has ever yet been established, have prepared a Petition to be laid before the Parliament of Great Britain at the next sitting, expressive of their sentiments in terms similar to those contained in this Petition.

Your Petitioners therefore most humbly presume to express their earnest but respectful hope, that Your Honorable House will in its wisdom and liberality bring this great and momentous question before His Majesty's Government, and make known our objections to the same with a view to prevent the before mentioned Bill, or any other of like nature, being passed into a law at any future session of the Imperial Parliament.

And, as in duty bound, Your Petitioners will ever pray.

(Signed by) GEORGE MORRIS, and 310 others.

Clinton, Niagara District,
Upper Canada, this Nineteenth day of Nov., 1822.

Mr. Clark, of Lincoln, seconded by Mr. Hamilton, of Lincoln, moves that the Petition of sundry Inhabitants of the District of Niagara be referred to the Committee of the Whole on the state of the Province. Which was ordered.

Agreeably to notice, Mr. McLean, of Stormont, seconded by Mr. Shaver, moves for leave to bring in a Bill to enable persons entitled to claim lands in this Province under Assignments from Heirs, Devisees or Assignees of the original Nominees of the Crown to obtain patents for such lands in their own name, and to extend the provisions of an Act passed in the 48th year of His late Majesty's Reign, relative to the Assignees of the original Nominees of the Crown in cases where no patent hath issued. Which was granted and the Bill read.

Mr. McLean, of Stormont, seconded by Mr. Shaver, moves that the Bill for the relief of persons entitled to claim lands under assignments from Heirs, Devisees and Assignees of the original Nominees of the Crown, and for other purposes, be read a second time on Friday next. Which was ordered.

Agreeably to the order of the day, the Religious Society Bill was read the second time.

Mr. Peterson, seconded by Mr. Wilmot, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Bill for the relief of Religious Societies. Which was carried, and Mr. Jones, of Grenville, took the Chair.

The House resumed. Mr. Jones reported the Bill as amended. Ordered that the Report be received.

Mr. Peterson, seconded by Mr. Wilmot, moves that the Bill for the relief of Religious Societies be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Protection Bill was read the second time.

Mr. Baldwin, seconded by Mr. Wilmot, moves that the House do now resolve itself into a Committee of the Whole on the Bill for the Better Protection of the Families of incorrigible drunkards. Which was carried, and Mr. Shaver took the Chair of the Committee.

The House resumed. Mr. Shaver reported progress, and obtained leave to sit again on Tuesday next.

Mr. Nichol, seconded by Mr. Jones, of Grenville, moves that the Report on the Incorrigible Drunkards Bill be received this day three months.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. VanKoughnet, Jones (Leeds), Nichol, Hamilton (Lincoln), Chisholm, Kerr, Burwell, Gates, Hagerman, Jones (Grenville), Casey, McDonell, Hamilton (Wentworth), McLean (Stormont), Shaver, Bostwick.

Nays: Messrs Gordon, Baldwin, Pattie, Willson (Wentworth), Randal, Clark (Lincoln), Wilmot, Willson (Prince Edward), Peterson, Baby, White, Horner, Walsh, Clark (L. & A.), Ruttan, Rogers, Crooks, Morris.

The question was carried in the negative by a majority of two, and lost accordingly.

Ordered that the Report from the Committee on the Protection Bill be received, and leave granted to sit again on Tuesday next.

Agreeably to notice, Mr. Willson, of Wentworth, seconded by Mr. Pattie, moves that he have leave to bring in a Bill more particularly to define the manner in

which wooden stills shall be measured and gauged in this Province. Which was granted and the Bill read.

Mr. Willson, seconded by Mr. Pattie, moves that the still admeasurement Bill be read a second time to-morrow. Which was ordered.

Mr. Hagerman, from the Committee on the Administration of Justice, informed the House that the Committee had agreed to a Resolution, which he was directed to submit as part of their report.

Ordered that the Report be received, and it was received as follows:

The Committee upon the Administration of Justice have agreed to the following Resolutions as a part of their Report:

Resolved, That from the great increase of population within this Province, and the consequent increase of crime and litigation, it is necessary that Commissions of Oyer and Terminer and General Gaol Delivery, and of Assize and Nisi Prius should issue to the several Districts thereof where the said Commissioners are now by law directed to be issued, as well in the vacations between Hilary and and Easter Terms as in the vacation between Trinity and Michaelmas Terms.

Resolved, that it be recommended to the House to direct the Committee on Public Accounts to inquire if any, and what, reductions may be made in the annual expenses charged to defray the expenses of the Administration of Justice within this Province, and report the same with as little delay as possible to the House.

CHR. A. HAGERMAN, Chairman.

Committee Room, House of Assembly,
4th February, 1823.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the Resolutions of the Committee on the Administration of Justice be referred to a Committee of the Whole House to-morrow. Which was ordered.

Agreeably to notice, Mr. Hagerman, seconded by Mr. Burwell, moves that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor thanking His Excellency for His gracious Message, transmitting to this House the extract of a Dispatch from His Majesty's Principal Secretary of State for the Colonies in reply to the Joint Address of the Legislative Council and House of Assembly to His Majesty, praying that half pay be granted to the Officers of the late Incorporated Battalion of Militia. Which was carried.

Mr. Hagerman, seconded by Mr. Nichol, moves that Messrs Jones, of Leeds, and Gordon be a Committee to draft an Address pursuant to the foregoing Resolution. Which was ordered.

Mr. Jones, of Leeds, of the Committee to draft an Address to His Excellency the Lieutenant Governor, thanking His Excellency for his message respecting the Incorporated Militia, reported a draft, which was received and read the first time.

Mr. Hagerman, seconded by Mr. Nichol, moves that the Address to His Excellency the Lieutenant Governor be read a second time this day, and that the Fifth Rule of this House be dispensed with so far as regards the same. Which was carried, and the Address was read the second time.

Mr. Hagerman, seconded by Mr. Nichol, moves that the House do concur in the Address, and that it be engrossed and read a third time this day. Which was ordered.

Mr. Nichol from the Committee to whom was referred the Petition of the Magistrates of the District of London, informed the House that the Committee had agreed to report by Bill, which he was directed to submit for the concurrence

of the House. Ordered that the Report be received, and the Report was read the first time.

Mr. Nichol, seconded by Mr. Burwell, moves that the London District Gaol and Court House Bill be read a second time on Monday next. Which was ordered.

Agreeably to the order of the day the House was called.

Absent: Messrs. Martin, McLean (Frontenac), Robinson, Attorney General, McCormack.

Agreeably to the order of the day, the House went into Committee on the state of the Province, Mr. Gates in the chair.

The House resumed. Mr. Gates reported progress, and asked leave to sit again to-morrow. Ordered that the Report be received, and leave was granted accordingly.

Mr. Ruttan, seconded by Mr. Clark, of Lennox and Addington, moves that the Petition of the Inhabitants of the Township of Cramahe, in the Newcastle District, be referred to a Select Committee, and that Messrs. McLean, of Stormont, Rogers, Wilmot and Gates compose the said Committee, and that they have leave to report by Bill or otherwise, with power to send for persons or papers. Which was ordered.

Agreeably to notice, Mr. Willson, of Wentworth, seconded by Mr. Gordon, moves that it be resolved than an Humble Address be presented to His Excellency the Lieutenant Governor, requesting that he will be pleased to direct the proper officer to lay before the House a Statement of the Claims of Sufferers by the late War with the United States, exhibiting the names of all claimants, the amount of each original respective claim, and the sum finally adjudged to each by the Commissioners for that purpose appointed by His Excellency Francis Gore, Esq., late Lieutenant Governor of the Province.

In amendment Mr. Nichol, seconded by Mr. Gordon, moves that the words "in so far as it may be in the power of His Excellency to communicate the same" be added to the Resolution.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hamilton (Wentworth), Gordon, Pattie, Nichol, Willson (Wentworth), Clark (Lincoln), Wilmot, Willson (Prince Edward), White, Horner, Baby, Morris, Clark (Lenox & Addington), Ruttan, Crooks, Kerr, Burwell, Hagerman, Bostwick, Casey, Hamilton (Lincoln).

Nays: Messrs, Randal, Jones (Leeds), Peterson, Baldwin, Chisholm, Rogers, VanKoughnet, Shaver.

The question was carried in the affirmative by a majority of thirteen, and ordered accordingly.

The original question as amended was then put and carried.

Mr. Willson, of Wentworth, seconded by Mr. Pattie, moves that a Committee be appointed to draft an Address to His Excellency the Lieutenant Governor in pursuance of the Resolution of this House, and that Messrs. Jones, of Leeds, and Nichol do form the said Committee. Which was carried.

Agreeably to the order of the day the Address to His Excellency the Lieutenant Governor, thanking him for his message respecting the Incorporated Militia, was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein, &c., &c.

May it please Your Excellency:

We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to express our humble thanks to Your Excellency for Your Excellency's gracious message transmitting to this House the Extract of a Dispatch from His Majesty's Principal Secretary of State for the Colonies, in reply to the Joint Address of the Legislative Council and House of Assembly to His Majesty, praying that half pay might be granted to the Officers of the late Incorporated Battalion of Militia.

LEVIUS P. SHERWOOD, Speaker.

Commons House of Assembly,
5th February, 1823.

Mr. Hagerman, seconded by Mr. Nichol, moves that Messrs Jones, of Leeds, and Gordon be a Committee to wait upon His Excellency the Lieutenant Governor, to know when he will be pleased to receive the Address of this House, and to present the same. Which was ordered.

Mr. Jones, of Leeds, of the Committee to draft an Address to His Excellency the Lieutenant Governor, on the subject of claims for losses, reported that the Committee had agreed to a draft, which was received and read the first time.

Mr. Willson, of Wentworth, seconded by Mr. Pattie, moves that the Fifth Rule of this House be dispensed with, so far as relates to the second reading of the Address to His Excellency the Lieutenant Governor, and that the said Address be now read the second time. Which was carried, and the Address was read the second time.

Mr. Willson, of Wentworth, seconded by Mr. Pattie, moves that the House do now concur in the Address to His Excellency the Lieutenant Governor, and that the said Address be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Alehouse Bill, Mr. Casey in the Chair.

The House resumed. Mr. Casey reported the Bill as amended. Ordered that the Report be received.

Mr. Hagerman, seconded by Mr. Hamilton, of Lincoln, moves that the Alehouse Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. Nichol gives notice that he will, on to-morrow, move that so much of His Excellency's Speech as relates to a Legislative Union of the Provinces of Upper and Lower Canada be referred to a Committee of the Whole on the State of the Province.

Mr. VanKoughnet gives notice that he will, on Saturday next, move that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor, praying him to request the Treasurers of the several Districts throughout this Province to render a correct account in detail of all moneys which have come into their hands since the commencement of the year 1809 to the present date, and in what manner the same have been laid out and expended, producing at the same time the different vouchers and receipts for the same, to be laid before this House at an early period of the next Session of Parliament.

The House then adjourned till twelve o'clock to-morrow.

Thursday, 6th February, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the Religious Society Relief Bill was read the third time.

Mr. Peterson, seconded by Mr. Randal, moves that the Religious Society Bill do now pass, and that it be intituled "An Act for the Relief of Religious Societies." Which was carried and the Bill signed.

Mr. Casey, seconded by Mr. Shaver, moves that Messrs. Peterson and Horner be a Committee to carry up to the Honorable the Legislative Council the Religious Society Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Alehouse Bill was read the third time.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Alehouse Bill do now pass, and that it be intituled "An Act to authorize the Licensing of Alehouses in certain Towns and Villages in this Province." Which was carried, and the Bill signed.

Mr. Casey, seconded by Mr. VanKoughnet, moves that Messrs. Hagerman and Burwell be a Committee to carry up to the Honorable the Legislative Council the Alehouse Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor on claims for losses was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath; Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency:

We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most humbly request Your Excellency to be pleased to direct the proper officer to lay before this House as soon as may be convenient a Statement of the Claims of Sufferers by the late War with the United States, exhibiting the names of the Claimants, the amount of each original respective claim, and the sum finally adjudged to each by the Commissioners for that purpose appointed by His Excellency Francis Gore, Esq., late Lieutenant Governor of this Province, in so far as it may be in the power of Your Excellency to communicate the same.

Levius P. Sherwood, Speaker.

Commons House of Assembly,
6th February, 1823.

Mr. Jones, of Leeds, seconded by Mr. Pattie, moves that Messrs Willson, of Wentworth, and Morris be a Committee to wait upon His Excellency the Lieutenant Governor, to know when he will be pleased to receive the Address of this House on the subject of Losses sustained during the late war with the United States, and to present the same. Which was ordered.

Agreeably to the order of the day, the Petition from sundry Inhabitants of the Village of Cobourg, praying legislative aid to enable them to establish a Library for the benefit of Sunday School Institutions; the Petition from Sundry Inhabi-

tants of Brockville, praying the same, and the Petition of the Reformed Methodists, praying to be exempted from the performance of Militia Duty, were read.

Mr. Casey, seconded by Mr. VanKoughnet, moves that the Petition of the Reformed Methodists Society of this Province be referred to a Select Committee, and that Messrs. Morris, Hagerman and Shaver do compose the said Committee, with power to report thereon by Bill or otherwise. Which was lost.

Dr. Baldwin, from the Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to provide for the erection of a Gaol and Court House in and for the Home District," and to request their concurrence thereto, reported they had done so.

Mr. Jones, of Leeds, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House respecting the Incorporated Militia, reported delivering the same.

Agreeably to notice, Mr. Crooks, seconded by Mr. Burwell, moves that he have leave to bring in a Bill to alter the rateable value of Lands in this Province. Which was lost.

Agreeably to the order of the day, Mr. Nichol, seconded by Mr. Pattie, moves that so much of His Excellency the Lieutenant Governor's Speech as relates to the proposed Union of the two Provinces be referred to the Committee of the Whole on the State of the Province, and that the House do now resolve itself into a Committee of the Whole for that purpose. Which was ordered, and Mr. Gates took the Chair of the Committee.

The House resumed. Mr. Gates reported progress and asked leave to sit again to-morrow. Ordered that the Report be received, and leave was granted accordingly.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a message, and having withdrawn, the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council request a conference with the Commons House of Assembly on the subject of the Bathurst District Common School Bill, and have appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee room for that purpose at two o'clock p.m. to-morrow.

WM. DUMMER POWELL, Speaker.

Legislative Council Chamber, 6th February, 1823.

Agreeably to the order of the day, the House went into Committee on the Weights and Measures Bill, Mr. Kerr in the Chair. The House resumed. Mr. Kerr reported the Bill as amended. Ordered, that the Report be received.

Mr. Clark of Lincoln, from the Committee to whom was referred the Petition of W. B. Willson and others of the District of Niagara, informed the House that the Committee had agreed to a Report, which he was directed to submit for the adoption of the House. Ordered, that the Report be received, and it was read as follows:

The Committee to whom was referred the petition of certain Teachers of Common Schools in the District of Niagara, beg leave to report to Your Honorable House that they have examined into the merits of the said Petition, and cannot do otherwise than agree with those who have signed the same in behalf of themselves and the Teachers of the Common Schools in the said District, that their case is one of peculiar hardship, occasioned by no act of their own, and tending much to depress learning in that part of the Province.

For remedy whereof Your Committee beg leave to report the draft of a Bill, which they now submit to Your Honorable House for its approbation.

John Clark, Chairman.

Committee Room, Ho. of Assy., 6th February, 1823.

The Bill for the relief of W. B. Wilson and others was then read the first time.

Mr. Clark, seconded by Mr. Crooks, moves that the Bill for the relief of the Teachers of Common Schools in the Niagara District be read a second time to-morrow. Which was ordered.

Mr. Morris, seconded by Mr. Shaver, moves that this House do accede to the request of the Honorable the Legislative Council on the subject of a conference on the Bill intituled "An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District," and that Messrs. Jones, of Grenville, Nichol and Gordon do compose a Committee for that purpose. Which was ordered.

Mr. Morris, seconded by Mr. Gordon, moves that a message be sent to the Honorable the Legislative Council to acquaint that Honorable House that the House of Assembly have appointed a Committee of four of its Members to confer with the conferees of their Honorable House at the time appointed on the subject matter of the Bill intituled "An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District, and that Messrs. VanKoughnet and Gates do carry up the said message. Which was ordered.

Agreeably to the order of the day, the Still Admeasurement Bill was read the second time.

Mr. Willson, of Wentworth, seconded by Mr. Jones, of Leeds, moves that the House do on to-morrow resolve itself into a Committee of the Whole, to take into consideration the Still Admeasurement Bill. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the report of the Select Committee on the Administration of Justice, Mr. Gordon in the Chair.

The House resumed. Mr. Gordon informed the House that the Committee had agreed to several resolutions, which he was directed to submit for the adoption of the House. Ordered, that the Report be received, and the Resolutions were then severally put and carried, and it was

Resolved, That from the great accession of population from immigration and other causes within this Province, and the consequent increase of crime and litigation therein, it is necessary that Commissions of Oyer and Terminer and general Gaol Delivery, and of Assize and Nisi Prius should issue to the several districts thereof where the said Commissions are now by law directed to be issued, as well in the vacation between Hilary and Easter Terms, and in the vacation between Michaelmas and Trinity Terms.

Resolved, that the Select Committee on Public Accounts be directed to inquire if any and what reduction can be made in the sums annually charged to defray the expenses of the Administration of Justice within this Province, and to report thereon with as little delay as possible.

Mr. Jones, of Grenville, gives notice that he will, on to-morrow, move that the Honorable the Legislative Council be requested to appoint a Committee, to take into consideration with a Committee of this House that part of His Excellency's

Speech at the opening of the present Session relative to the Bill proposed to the Commons of the Imperial Parliament at its last Session, for uniting the Legislatures of Upper and Lower Canada. The House then adjourned till twelve o'clock to-morrow.

Friday 7th February, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Willson, of Prince Edward, seconded by Mr. Wilmot, moves for leave to bring up the Petition of the Inhabitants of the County of Prince Edward. Which was granted, and the Petition brought up.

Mr. Hagerman, seconded by Mr. Bostwick, moves for leave to bring up the Petition of the Rector and Churchwardens of St. George's Church, Kingston. Which was granted, and the Petition brought up.

Mr. Jones, of Leeds, seconded by Mr. Pattie, moves for leave to bring up the Petition of George Delong and George Bates of the District of Johnstown. Which was granted, and the Petitions brought up.

Agreeably to the order of the day, the Petition of Hugh McCall, praying for relief in the Premises, was read.

Mr. Jones, of Leeds, seconded by Mr. Pattie, moves that the Petition of the Reverend William Smart and others, from the District of Johnstown, be referred to a Select Committee, to be composed of Messrs. VanKoughnet, McLean, of Stormont, Morris and Crooks; the said Committee to report thereon by Bill or otherwise. Which was ordered.

Agreeably to the order of the day the House went into Committee on the Salt Inspection Bill, Mr. Clark of Lenox and Addington in the Chair.

The House resumed. Mr. Clark reported progress, and asked leave to sit again on Monday next.

Ordered, that the Report be received, and leave was granted accordingly.

Agreeably to the order of the day, the Heir and Devisee Bill was read the second time.

Mr. McLean, of Stormont, seconded by Mr. Pattie, moves that the House do now resolve itself into a Committee of the Whole on the Heir and Devisee Bill. Which was carried, and Mr. Chisholm took the Chair.

The House resumed. Mr. Chisholm reported progress, and asked leave to sit again on Monday next.

Ordered, that the Report be received, and leave was granted accordingly.

Agreeably to notice, Mr. Jones of Grenville, seconded by Mr. Morris, moves for leave to bring in a Bill to repeal the laws now in force for securing the payment of duties, and to reduce the same into one Act, and also to extend the provisions thereof. Which was granted, and the Bill read.

Mr. Jones of Grenville, seconded by Mr. Morris, moved that the Collectors' Bill be read a second time on Tuesday next. Which was ordered.

Mr. Hamilton of Lincoln, seconded by Mr. Jones of Grenville, moves that the Clerk of this House be ordered to have forty copies of the Collectors' Bill printed for the use of the Members. Which was carried.

Agreeably to notice, Mr. Jones of Grenville, seconded by Mr. Burwell, moves that it be resolved that the Honorable the Legislative Council be requested to appoint a Committee to take into consideration, with a Committee of this House, that part of His Excellency's Speech at the opening of the present Session relative to the Bill proposed to the Commons of the Imperial Parliament at its last Session, for Uniting the Legislatures of Upper and Lower Canada. Which was carried.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that Messrs. McLean of Stormont and Hamilton of Lincoln be a Committee to request the honorable the Legislative Council to appoint a Committee to take into consideration that part of His Excellency's Speech at the opening of the present Session relative to the union of the Legislatures of these Provinces. Which was ordered.

Agreeably to the order of the day, the Schools Bill was read the second time.

Mr. VanKoughnet, from the Committee to carry up to the Honorable the Legislative Council a Message on the subject of a conference on the Bathurst Common Schools Bill, reported they had done so.

Mr. Morris, from the Committee appointed to confer with the Committee appointed by the Honorable the Legislative Council on the subject matter of the District of Bathurst Common Schools Bill, presented the following report:

Mr. Speaker: The Committee appointed by Your Honorable House to confer with the Committee of the Honorable the Legislative Council upon the Bill sent up by this House to that Honorable House, intituled "An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District," in obedience to your orders, met the Committee of the Legislative Council, who stated to Your Committee that the words "and unappropriated" in the first clause appeared to have been inadvertently left out, to which Your Committee replied that they would report the same to Your Honorable House.

Mr. Clark of Lincoln, seconded by Mr. Crooks, moves that the House do now resolve itself into a Committee of the Whole on the Common Schools Bill. Which was carried, and Mr. McLean of Stormont took the Chair.

The House resumed. Mr. McLean reported progress, and asked for leave to sit again on Tuesday next.

Ordered, that the Report be received, and leave was granted accordingly.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the District of Bathurst Public Schools Bill, the District of Bathurst Sheriffs Bill, and the Home District Gaol and Court House Bill, which they had passed without amendment.

Mr. Hagerman, from the Committee on expiring laws, reported that the Committee had agreed to report by two Bills, viz., the Auction Duty Bill, and the Hawkers and Pedlars Bill. Ordered, that the Report be received. The Auction Duty Bill was then read the first time.

Mr. Hagerman, seconded by Mr. Kerr, moves that the Bill for continuing the duty on Licenses to Auctioneers, and on goods, wares and Merchandise sold by Auction, be read a second time on Monday. Which was ordered. The Hawkers and Pedlars Bill was then read the first time.

Mr. Hagerman, seconded by Mr. Kerr, moves that the Bill for continuing the duty on Licenses to Hawkers and Pedlars be read a second time on Monday. Which was ordered.

Mr. Hagerman, from the Committee to whom was referred the Petition of the Inhabitants of the Town of Belleville, informed the House that the Committee had agreed to report by Bill. Ordered, that the Report be received, and the Bill was read the first time.

Mr. Hagerman, seconded by Mr. White, moves that the Belleville Police Bill be read a second time on Monday. Which was carried.

Agreeably to the order of the day, the House went into Committee on the Still Admeasurement Bill, Mr. White in the Chair.

The House resumed. Mr. White reported progress, and asked leave to sit again on Wednesday next. Ordered, that the Report be received, and leave granted accordingly.

Mr. Morris gives notice that he will, on Monday, move for leave to bring in a Bill to appropriate a sum of money for certain purposes therein mentioned.

Mr. Ruttan, seconded by Mr. Clark of Lenox and Addington, moves that the Weights and Measures Bill be engrossed, and read a third time on Monday next. Which was ordered.

Mr. Crooks, seconded by Mr. Hagerman, moves that Mr. Willson's, of Wentworth, name be added to the Committee on the Distillery Laws. Which was ordered.

Mr. Walsh, seconded by Mr. Horner, moves that the Petition of Hugh McCall be referred to a Select Committee, and that Messrs. Nichol, Hagerman, Baldwin and Willson of Wentworth compose this Committee, and that they report to the House. Which was ordered.

Mr. Casey gives notice that he will, on Tuesday next, move for leave to bring in a Bill to confirm certain marriages in this Province.

The House then adjourned till Monday at twelve o'clock.

Monday, 10th February, 1823.

The House met. Prayers were read. The minutes of Friday were read.

Agreeably to the order of the day, the Weights and Measures Bill was read the third time.

Mr. Ruttan, seconded by Mr. Clark of Lenox and Addington, moves that the Weights and Measures Bill be re-committed on to-morrow. Which was ordered.

Agreeably to the order of the day, the Petition from the Rector and Churchwardens of St. George's Church, Kingston, praying that an Act be passed declaring a certain deed for church ground in Kingston invalid; the Petition of George Delong of South Crosby, praying that an Act may be passed which will restore him his property, and the Petition from George Bates, praying that an Act may be passed enabling him to traverse a certain inquisition, were read.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Petition of the Rector and Churchwardens of St. George's Church, Kingston, be referred to a Select Committee to report thereon by Bill or otherwise, and that the said Committee be composed of Messrs. Jones of Grenville and Gordon. Which was ordered.

Agreeably to the order of the day, the trial of the Petition of Robert Perry, Junior, and others, of the Incorporated Counties of Lenox and Addington, complaining of the undue election of Matthew Clark, Esquire, to serve as a Member for said Counties in the present Parliament, was entered upon. The House was cleared.

Mr. Speaker and the following Members were then sworn:

Messrs. Baby, Baldwin, Bostwick, Burwell, Casey, Chisholm, Clark of Lincoln, Gates, Gordon, Hagerman, Hamilton of Lincoln, Hamilton of Wentworth, Horner, Jones of Grenville, Jones of Leeds, Kerr, McDonell, McLean of Stormont, Morris, Nichol, Pattie, Peterson, Randal, Rogers, Ruttan, Shaver, VanKoughnet, Walsh, White, Wilmot, Willson of Wentworth, Willson of Prince Edward.

Marshall S. Bidwell appeared at the Bar of the House as Counsel for the Petitioners.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to permit the importation of Machinery into this Province free from duty for a limited time," which they had passed with some amendments, and which he was desired to recommend to the concurrence of this House.

The amendments made by the Honorable the Legislative Council to the Machinery Importation Bill were then read as follows:

Press. 1, line 17. After "Machinery" insert "the manufacture of the United States of America."

Archibald Campbell was then sworn.

Dr. Baldwin, seconded by Mr. Wilmot, moves that the trial of the Lenox and Addington Election be postponed till Thursday next. Which was ordered.

Agreeably to the order of the day, the Election Bill was read the second time.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves that the House do now resolve itself into a Committee of the Whole on the Election Bill. Which was carried, and Mr. Ruttan took the chair of the Committee.

The House resumed. Mr. Ruttan reported progress, and asked leave to sit again this day three months.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 11th February, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Hamilton of Wentworth, seconded by Mr. Wilson of Wentworth, moves for leave to bring up the Petition of Matthew Crooks, Esquire, of the District of Gore. Which was granted and the Petition was brought up.

Mr. Chisholm, seconded by Mr. Clark of Lincoln, moves for leave to bring up the Petition of the Inhabitants of the Township of East Flamborough and Nelson, in the District of Gore. Which was granted, and the Petition brought up.

Mr. Ruttan, seconded by Mr. Rogers, moves for leave to bring up the Petition of Joseph J. Losee, and other inhabitants of the Township of Whitby, in the Home District. Which was granted and the Petition brought up.

Mr. Morris, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House relating to claims for losses, reported the delivery of the same, and that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly:

I am acquainted with no document containing such information as you desire to obtain, unless it be a Report prepared by the Royal Command for His Majesty's information, and transmitted for that end to the Principal Secretary of State for the Colonies. A duplicate of this is, as you suppose, among the Records in possession of the Government, I have not His Majesty's permission to give it publicity.

February 8th, 1823.

Agreeably to the order of the day, the House went into Committee on the State of the Province, Mr. Gates in the Chair.

The House resumed. Mr. Gates reported progress, and asked for leave to sit again on Thursday.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean (Stormont), Jones (Grenville), Pattie, Nichol, Chisholm, Randal, Gordon, Jones (Leeds), Gates, Ruttan, Burwell, Bostwick, VanKoughnet, Hamilton (Lincoln), Morris, Hagerman, McDonell, Shaver, Kerr.

Nays: Messrs. Clark (Lincoln), Hamilton (Wentworth), Wilmot, Baldwin, Willson (Wentworth), Willson (Prince Edward), Baby, White, Walsh, Clark (Lenox), Horner, Rogers, Casey.

The question was carried in the affirmative by a majority of five, and the Report was received and leave granted accordingly.

Agreeably to the order of the day, the London District Gaol and Court House Bill was read the second time.

Mr. Nichol, seconded by Mr. Jones, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the London District Gaol and Court House Bill. Which was carried, and Mr. Baby took the chair of the Committee.

The House resumed. Mr. Baby reported the Bill as amended. Ordered that the Report be received.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that the London District Gaol and Court House Bill be engrossed, and read a third time this day; and that the fifth Rule of the House be dispensed with so far as relates to the said Bill. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Salt Inspection Bill, Mr. Clark of Lenox and Addington in the Chair.

The House resumed. Mr. Clark reported progress and asked for leave to sit again on Thursday next. Ordered that the Report be received, and the leave was granted accordingly.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor several messages, and having withdrawn the same were read as follows:

P. MAITLAND.

The Lieutenant Governor thinks it proper to call the attention of the House of Assembly to the amount of Provincial Funds invested in the Bank of Upper Canada. The prudence of the House of Assembly, the Lieutenant Governor imagines, will think it necessary to embrace the earliest opportunity for altering the present legal regulations, in such a manner as to secure to the public a representation on an equitable scale at the Board for directing the affairs of that Institution.

Govt. House, 12th Feb'y, 1823.

P. MAITLAND.

The Lieutenant Governor transmits to the House of Assembly a copy of the General Statement of Duties levied at the Port of Quebec, from the 6th day of July to the 10th day of October, 1822, together with a note thereon by the Acting Inspector General.

Government House, 12th Feb'y, 1823.

Mr. Nichol, seconded by Mr. Gordon, moves that it be resolved that the Messages of His Excellency the Lieutenant Governor be taken into consideration on Thursday next. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor, thanking him for his several Messages of this day, and assuring His Excellency that this House will not fail to give the subject matter thereof due consideration. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that Messrs. McLean of Stormont, and Gordon, be a Committee to draft an Address to His Excellency pursuant to the Resolution of this House. Which was ordered.

Agreeably to the order of the day the London District Gaol and Court House Bill was read the third time.

Mr. Nichol, seconded by Mr. Gordon, moves that the London District Gaol and Court House Bill do now pass, and that it be intituled "An Act to provide for the completion of the Gaol and Court House in the London District of this Province." Which was carried and the Bill signed.

Mr. Gordon, seconded by Mr. Nichol, moves that Messrs. Burwell and Bostwick be a Committee to carry up to the Honorable the Legislative Council the London District Gaol and Court House Bill, and to request their concurrence thereto. Which was ordered.

Mr. Nichol, from the Committee to whom was referred the Public Detailed Accounts, informed the House that the Committee had agreed to a Report, which he was directed to submit for the adoption of the House. Ordered that the Report be received, and it was read as follows:

First Report, of the Select Committee on Public Accounts, ordered to inquire if any and what deductions may be made in the sums annually charged to defray the expenses of the Administration of Justice within this Province, and to report the same with as little delay as possible.

Your Committee, in obedience to your order, after examining the Detailed Accounts for the years 1816, 1817, 1818, 1819 and 1820 have agreed to the following:

Report.

That there appears an annual charge in the Accounts for the years named, under the head of "Allowance of Travelling Expenses" to the amount of £570 sterling, viz.:

To the Judges	£300
" " Attorney & Solr. General, King's Counsel, &c.	150
" " Clerk of Assize	120
	£570

This allowance, in the opinion of Your Committee, was originally made at a time when the country was very thinly populated, the accommodations bad, the expenses of travelling high, and the salaries and emoluments of these officers much less than at present. At that time the Judges received only £500 per annum, now they receive £750, and the business of the Public Prosecutor was so trifling that the whole contingent account of the then Attorney General, Mr. White, for six months, amounted to the sum of Three Pounds Seventeen shillings; whereas the Contingent Accounts of the Crown Officers, on an average of four years amount to Eight of Nine Hundred Pounds sterling. Your Committee therefore are of opinion that very considerable savings may be made in the charge for Contingencies and Travelling Expenses; they recommend to Your Honorable House to consider of the propriety of addressing His Excellency the Lieutenant Governor, representing to His Excellency the circumstances under which the Travelling Allowances were first made, the altered situation of the Country, and the embarrassments of its revenues, and praying His Excellency to withhold from the Crown Prosecutor and Clerks of Assize the allowances respectively made to them, and also to order a revision of the Table of Fees, that such deductions may be made therefrom as will correspond with the increased value of money, and depressed state of the Revenue. With respect to the Circuit Allowance to the Judges, Your Committee are of opinion that their actual disbursements on the Circuit and no more should be allowed to them.

Your Committee, on examining the Contingent Accounts of the Crown Officers, observe that many cases are prosecuted by them at the Public Expense, which ought to be enquired of at the Sessions, and at the expense of the individual prosecutor, viz.: assaults and batteries, nuisances and other minor offences, which frequently arise out of a vindictive feeling. They observe in the accounts of the several Attorneys General which have come under their observation a charge of £90 sterling

per annum, for Clerks' salary and Office Rent. Your Committee cannot see the propriety of this charge, as that Officer receives a Fee exclusive of his official salary for the performance of every act of public duty. On the whole they are of opinion that a saving to the amount of £570 may be made, viz.:

Travelling Allowances.		
King's Counsel	£150	
Clerks of Assize	120	
		£270
Allowance to Atty. General for Clerks and Office Rent	90	
Reduction of Fees, and by removing Trial of minor offences to Sessions	210	
		300
		£570

All of which is submitted.

By Order of the Committee,
ROB. NICHOL, Chairman.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a message, and having withdrawn, the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have acceded to the requests of the Commons House of Assembly, and have appointed a Committee of Six Members, to take into consideration jointly with a Committee of the Commons House of Assembly that part of His Excellency's Speech at the opening of the present Session relative to the Bill proposed to the Commons of the Imperial Parliament at its last Session for uniting the Legislatures of Upper and Lower Canada, the Committee of the Honorable the Legislative Council will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room on Thursday next at twelve o'clock noon.

WM. DUMMER POWELL, Speaker.

Legislative Council Chamber,
11th Feb'y, 1823.

Mr. Jones of Grenville, seconded by Mr. Hagerman, moves that Messrs. Nichol, McLean of Stormont, Hagerman, Baldwin, McDonell, Willson of Wentworth, Jones of Grenville, Morris, VanKoughnet, Ruttan and Hamilton of Wentworth, be a Committee, to take into consideration with the Committee of the Honorable the Legislative Council that part of His Excellency's Speech at the opening of the present Session relative to the Union of the Legislatures of Upper and Lower Canada.

In amendment Mr. McLean of Stormont, seconded by Mr. Willson of Wentworth, moves that in the original motion the names of Messrs. VanKoughnet and Morris be expunged, and those of Messrs. Gordon and Wilmot inserted in their stead.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Gordon, Clark (Lincoln), Willson (Wentworth), Peterson, Hamilton (Wentworth), Walsh, Wilmot, Willson (Prince Edward), Baldwin, White, Horner, Casey, Clark (Lenox and Addington), Ruttan, Rogers, McLean (Stormont), Baby.

Nays: Messrs. Jones (Leeds), Pattie, Nichol, Randal, Hamilton (Lincoln), Bostwick, Gates, Burwell, Chisholm, Kerr, Morris, VanKoughnet, McDonell, Shaver, Jones (Grenville), Hagerman.

The question was carried in the affirmative by a majority of one.

The original question, as amended, was then put and carried.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that Messrs. McLean of Stormont, and Hagerman be a Committee to acquaint the Honorable the Legislative Council that this House has appointed a Committee to meet the Committee of that House, to take into consideration that part of His Excellency's Speech at the opening of the present Session of Parliament, relating to the union of the Legislatures of Upper and Lower Canada, at the time appointed. Which was ordered.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that the Report of the Select Committee be agreed in. Which was carried.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that Messrs. Hagerman and Gordon be a Committee to draft an Address pursuant to the Report of this House upon the expense incurred in the Administration of Justice. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Gordon, moves that Messrs. McLean of Stormont, and McDonell be a Committee to draft an Address pursuant to the Resolutions of this House upon the subject of the Circuits. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Gordon, moves that this House do now resolve itself into a Committee of the Whole, on the Election Bill, to enable the said Committee to report. Which was carried, and Mr. Ruttan took the Chair of the Committee.

The House resumed. Mr. Ruttan reported progress, and asked for leave to sit again on Monday next.

On the question of receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), McLean (Stormont), Nichol, Clark (Lenox and Addington), Ruttan, Hamilton (Lincoln), Bostwick, Gates, Burwell, Chisholm, Morris, Hagerman, VanKoughnet, McDonell, Shaver, Jones (Grenville), Gordon, Kerr.

Nays: Messrs. Pattie, Clark (Lincoln), Randal, Willson (Wentworth), Hamilton (Wentworth), Peterson, Willmot, Walsh, Baldwin, Willson (Prince Edward), Baby, Horner, White, Casey, Rogers.

The question was carried in the affirmative by a majority of three, and the Report was received and leave granted accordingly.

Mr. VanKoughnet gives notice that he will, on Thursday next, move for a call of the House, and that it be the first thing on the order of the day during the remainder of the Session.

The House then adjourned till eleven o'clock on Thursday next.

Thursday, 13th February, 1823.

The House met. Prayers were read. The minutes of Tuesday were read.

Dr. Baldwin, seconded by Mr. Wilmot, moves for leave to bring up the Petition of Jacob Vice. Which was granted, and the Petition brought up.

Mr. VanKoughnet, seconded by Mr. Gates, moves for leave to bring up the Petition of Hiram Spafford of the Town of Brockville. Which was granted, and the Petition brought up.

Mr. Gordon, seconded by Mr. Nichol, moves for leave to bring up the Petition of Robert Innes and other inhabitants of the Western District. Which was granted, and the Petition brought up.

Agreeably to the order of the day, the Petition from Matthew Crooks, Esq., of the District of Gore, praying that a certain lot of lands may be restored to him, and such other relief in the premises granted as may seem meet; the Petition from the inhabitants of East Flamborough and Nelson, praying that the fishery at the outlet of Burlington Bay may by Law be protected and regulated, and the Petition from Joseph J. Losee and others, praying for authority and assistance to cut a road from the big bay on Lake Ontario to Lake Simcoe, were read.

Mr. Hamilton of Wentworth, seconded by Mr. Randal, moves that the Petition of Matthew Crooks, Esq., be referred to a Select Committee composed of Messrs. Wilmot and Willson of Wentworth. Which was ordered.

Mr. Nichol, seconded by Mr. Jones of Leeds, moves that the votes of the House during the present Session be authorized to be printed under the supervision of the Speaker. Which was ordered.

Mr. Ruttan, seconded by Mr. Clark of Lenox and Addington, moves that the Petition of Joseph J. Losee and others, inhabitants of the Township of Whitby, in the Home District, be referred to the Committee on the Petition of the inhabitants of the County of Durham. Which was ordered.

Mr. Nichol, seconded by Mr. VanKoughnet, moves that it be resolved that James Crooks, Esq., one of the Members for the County of Halton, having absented himself from his duty without the leave of the House, be ordered to attend forthwith in his place. On which the House divided, and the yeas and nays being taken, were as follows:

Yeas: Messrs. McLean (Stormont), Pattie, Nichol, Clark (Lincoln), VanKoughnet, Hamilton (Lincoln), Gates, Burwell, Kerr, Hagerman, Morris, McDonell, Shaver, Jones (Grenville), Bostwick.

Nays: Messrs. Gordon, Willson (Wentworth), Hamilton (Wentworth), Peterson, Wilmot, Baldwin, Willson (Prince Edward), Baby, White, Walsh, Chisholm, Clark (Lenox and Addington), Ruttan, Horner, Rogers, Casey.

The question was carried in the negative by a majority of one, and lost accordingly.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a message, and, having withdrawn, the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council request a conference with the Commons House of Assembly on the subject matter of the Bill intituled "An Act to authorize the Licensing of Ale Houses in certain Towns and Villages in this Province," and have appointed a Committee of two Members, who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at twelve o'clock to-morrow.

Legislative Council Chamber,
13th February, 1823.

WM. DUMMER POWELL, Speaker.

Mr. Hagerman, seconded by Mr. McDonell, moves that the request of the Honorable the Legislative Council for a Conference on the Bill intituled "An Act to authorize the Licensing of Ale Houses," &c., be concurred in, and that Messrs. Jones of Grenville, Burwell, Gordon and Casey be ordered to meet the Conferees of the Hon. the Legislative Council in the Joint Committee Room to-morrow at twelve o'clock. Which was ordered.

Mr. Hagerman, seconded by Mr. McDonell, moves that Messrs. Morris and Kerr be a Committee to acquaint the Honorable the Legislative Council that their request for a Conference on the Ale House License Bill is acceded to, and that four of the Members of this House will meet the Conferees of the Hon. the Legislative Council at the time and place appointed. Which was ordered.

Agreeably to the order of the day, the House proceeded in the trial of the Lenox and Addington Election.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that it be resolved that Marshall S. Bidwell, Esquire, the Candidate proposed to the Returning Officer at the Election for a Member to serve in Parliament for the Incorporated Counties of Lennox and Addington, and by the said Returning Officer rejected, having been born in the United States of America since the independence of those States, is by Common Law an Alien, and as it does not appear to this House that the said Marshall S. Bidwell is accepted by any Statute, nor naturalized by any British Act of Parliament, he is therefore incapable of being elected to serve in the Parliament of this Province.

In amendment Dr. Baldwin, seconded by Mr. VanKoughnet, moves that it be resolved, that Marshall Spring Bidwell, Esq., named in the Petition of Robt. Perry, Jr., and others, Freeholders of the Incorporated Counties of Lenox and Addington, was not qualified within the meaning of the 22nd Section of the Statute passed in the thirty-first year of His late Majesty's Reign, Chap. 31, to be elected a Member to serve in the House of Assembly of this Province, and that the Sitting Member do therefore retain his seat.

On which debates ensued.

The House adjourned till ten o'clock to-morrow.

Friday, 14th February, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves for leave to bring up the Petition of the President, Directors and Company of the Upper Canada Bank. Which was granted, and the Petition brought up.

Mr. Jones of Grenville, from the Committee to whom were referred the Militia Laws of this Province, reported a Bill, which was received and read the first time.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Militia Bill be read a second time on Monday next. Which was ordered.

Mr. Jones, of Grenville, from the Committee appointed to confer with the Committee of the Honorable the Legislative Council on the subject matter of the Alehouse Licensing Bill, reported as follows:

The Committee of the House of Assembly, appointed to confer with the Committee of the Hon. Legislative Council on the Bill intituled "An Act to authorize the Licensing of Alehouses in certain Towns and Villages in this Province," pursuant to the order of your Honorable House, met the Committee of the Hon. the Legislative Council, who stated to your Committee that in the third clause of the said Bill the usual accounting clause was omitted.

Agreeably to the order of the day, the House went into Committee on the Heir and Devisee Bill, Mr. Chisholm in the Chair.

The House resumed. Mr. Chisholm reported progress, and asked leave to sit again on Monday next. Ordered that the Report be received, and leave was granted accordingly.

Mr. Boulton, Master in Chancery, brought down from the Hon. the Legislative Council a Message, and, having withdrawn, the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council request a Conference with the Commons House of Assembly, on the subject matter of the London District Gaol and Court House Bill, and have appointed a Committee of two Members, who will be ready to meet a Committee of the Commons House of Assembly for that purpose in the Joint Committee Room at twelve o'clock noon on Monday next.

Legislative Council Chamber, WM. DUMMER POWELL, Speaker.
14th February, 1823.

Agreeably to the order of the day, the House again proceeded in the Trial of the Lenox and Addington Election.

Dr. Baldwin's amendment to Mr. Jones, of Grenville, motion of the 13th instant was then put as follows:

Resolved, That Marshall Spring Bidwell, Esq., named in the Petition of Robert Perry, Jr., and others, Freeholders of the Incorporated Counties of Lenox and Addington, was not qualified within the meaning of the 22nd Section of the Statute passed in the thirty-first year of His late Majesty, Chap. 31, to be elected a Member to serve in the House of Assembly of this Province, and that the Sitting Member do therefore retain his seat.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean (Stormont), Jones (Leeds), Jones (Grenville), Baldwin, Gordon, Hagerman, Burwell, Shaver, VanKoughnet, Bostwick.

Nays: Messrs. Pattie, Nichol, Clark, Randal, Willson (Wentworth), Hamilton (Wentworth), Peterson, Horner, Wilmot, Willson (Prince Edward), Baby, White, Walsh, Ruttan, Rogers, Chisholm, Kerr, Gates, McDonell, Hamilton (Lincoln), Morris, Casey.

The question was carried in the negative by a majority of twelve, and lost accordingly.

Mr. Jones' (of Grenville) motion of the 13th inst. was then put as follows:

Resolved, That Marshall S. Bidwell, Esq., the Candidate proposed to the Returning Officer at the election of a Member to serve in Parliament for the Incorporated Counties of Lenox and Addington, and by the said Returning Officer rejected, having been born in the United States of America since the independence of those States, is by Common Law an Alien, and as it does not appear to this House that the said Marshall S. Bidwell is accepted by any Statute, nor naturalized by any British Act of Parliament, he is therefore incapable of being elected to serve in the Parliament of this Province.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean (Stormont), Jones (Leeds), Jones (Grenville), Gordon, Hagerman, Morris, Burwell, Shaver, VanKoughnet, Bostwick.

Nays: Messrs. Pattie, Nichol, Clark (Lincoln), Randal, Wilson (Wentworth), Hamilton (Wentworth), Peterson, Horner, Wilmot, Baldwin, White, Baby, Walsh, Willson (Prince Edward), Ruttan, Rogers, Chisholm, Kerr, Gates, McDonell, Hamilton (Lincoln), Casey.

The question was carried in the negative by a majority of twelve, and lost accordingly.

Mr. Nichol, seconded by Mr. Randal, moves that it be resolved that the allegations set forth in the Petition of Robert Perry, Jr., and others, Freeholders of the Incorporated Counties of Lenox and Addington, touching the election of Matthew Clark, Esq., to represent the Incorporated Counties of Lenox and Addington in the House of Assembly of this Province have been proved, and that the said Election is void.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Pattie, Nichol, Clark (Lincoln), Randal, Willson (Wentworth), Hamilton (Wentworth), Peterson, Wilmot, Horner, Willson (Prince Edward), White, Baby, Walsh, Rogers, Ruttan, Chisholm, Kerr, Gates, McDonell, Hamilton (Lincoln), Morris, Casey.

Nays: Messrs. Jones (Leeds), McLean (Stormont), Jones (Grenville), Gordon, Hagerman, Burwell, Shaver, Bostwick, VanKoughnet, Baldwin.

The question was decided in the affirmative by a majority of twelve, and it was resolved accordingly.

Mr. Nichol, seconded by Mr. Randal, moves that it be resolved that the conduct of the Returning Officer in refusing to allow Marshal S. Bidwell, Esq., to be polled at the said election was an illegal assumption of power in violation of his duty, and a high breach of the Privileges of this House, as well as an infringement of the rights of the whole body of Electors of this Province.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Pattie, Nichol, Clark, Randal, Willson (Wentworth), Peterson, Hamilton (Wentworth), Horner, Wilmot, Baldwin, Willson (Prince Edward), White, Baby, Walsh, Rogers, Chisholm, Kerr, Gates, McDonell, Hamilton (Lincoln), Morris, Casey, Burwell, Shaver, VanKoughnet, Bostwick.

Nay: Mr. Ruttan.

The question was carried in the affirmative by a majority of twenty-five, and it was resolved accordingly.

Mr. Nichol, seconded by Mr. Randal, moves that it be resolved that it is the opinion of this House that in so doing the Returning Officer did not act corruptly or maliciously, but from misconception of his duty, and that this House does not see any necessity for censuring the said Returning Officer for his conduct at the said election. Which was carried nem. con. Present: Messrs. Pattie, Nichol, Clark, Randal, Willson of Wentworth, Hamilton of Wentworth, Peterson, Horner, Wilmot, Willson, of Prince Edward, White, Baby, Walsh, Rogers, Hamilton, of Lincoln, Chisholm, Kerr, Gates, McDonell, Baldwin, Ruttan, Morris, Casey, Shaver, VanKoughnet and Bostwick.

Mr. Nichol, seconded by Mr. Randal, moves that it be resolved that the said Marshal S. Bidwell, in so far as allegiance is concerned, was and is eligible to a seat in this House.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Pattie, Nichol, Clark, Randal, Willson (Wentworth), Hamilton (Wentworth), Peterson, Horner, Wilmot, Willson (Prince Edward), White, Baby, Walsh, Rogers, Hamilton (Lincoln), Chisholm, Kerr, Gates, McDonell.

Nays: Messrs. Baldwin, Ruttan, Morris, Casey, Shaver, VanKoughnet, Bostwick.

The question was carried in the affirmative by a majority of twelve, and it was resolved accordingly.

Mr. Nichol, seconded by Mr. Randal, moves that the Speaker do direct the proper officer to sue out a writ for the return of a Member to represent the Incorporated Counties of Lenox and Addington in the House of Assembly of this Province. Which was ordered.

The House adjourned till 10 o'clock a.m. on Monday next.

Monday, 17th February, 1823.

The House met. Prayers were read. The Minutes of Friday were read.

Mr. McDonell, seconded by Mr. Burwell, moves for leave to bring up the Petition of Sundry Inhabitants of the Province of Upper Canada. Which was granted, and the Petition brought up.

Agreeably to the order of the day, the Petition from Jacob Vice praying to be put on the Pension List, or for such other relief in the premises as may seem meet; the Petition from Hiram Spafford, praying relief in the premises; the Petition from Robert Innes and others, of the Western District of this Province, praying that an export duty may be laid on raw hides; and the Petition from the President, Directors and Company of the Bank of Upper Canada, praying that the number of shares authorized by law to be held in the said Bank may be reduced to eight thousand, and the capital stock of the same to one hundred thousand pounds, were then read.

Mr. Jones of Leeds, seconded by Mr. Pattie, moves that the Petitions of George Delong, George Bates and Hiram Spafford be referred to the Select Committee to whom was referred the Petition of John Clement and others, and that the said Committee have leave to report by Bill or otherwise. Which was ordered.

Mr. Gordon, seconded by Mr. Hamilton of Wentworth, moves that the Petition of Robert Innes and other inhabitants of the Western District be referred to a Select Committee composed of Messrs. Jones of Grenville, and Burwell, with leave to report thereon by Bill or otherwise. Which was ordered.

Mr. Gordon, seconded by Mr. Jones of Leeds, moved that Messrs. Nichol, Burwell, Walsh and Horner be a Committee to confer with the Conferees of the Honorable the Legislative Council on the subject matter of the London District Gaol and Court House Bill in the Joint Committee Room at twelve o'clock this day. Which was ordered.

Mr. Gordon, seconded by Mr. Jones of Leeds, moves that Messrs. Ruttan and Hamilton of Wentworth be a Committee to acquaint the Honorable the Legislative Council that this House has appointed a Committee to confer with the Conferees of that Honorable House on the subject matter of the London District Gaol and Coust House Bill at twelve o'clock this day. Which was ordered.

Mr. Hagerman, on the Committee on the Administration of Justice, reported two Bills, viz., the District Court Bill and the Report Bill. Ordered that the report be received, and the District Court Bill was read the first time.

Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that the District and Surrogate Court Bill be read a second time on to-morrow. Which was ordered.

The Report Bill was then read the first time.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that the Law Report Bill be read a second time to-morrow. Which was ordered.

Mr. Ruttan, from the Committee to whom was referred the Petition of sundry inhabitants of the Township of Cramahe, reported a Bill. Ordered that the report be received, and the Bill was read the first time.

Mr. Ruttan, seconded by Mr. Rogers, moves that the Bill upon the Petition of the inhabitants of the Township of Cramahe, in the Newcastle District, be read a second time on to-morrow. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that the Petition of the President, Directors and Company of the Bank of Upper Canada be referred to the Committee of the Whole House on His Excellency's Message of Tuesday last. Which was ordered.

Mr. Hamilton of Wentworth, from the Committee to whom was referred the Petition from Matthew Crooks, Esquire, reported that the Committee had agreed to a Bill for his relief. Ordered that the report be received, and the Bill was read the first time.

Mr. Hamilton, seconded by Mr. Willson of Wentworth, moves that the Bill for the relief of Matthew Crooks of Ancaster, Esquire, be read a second time on to-morrow. Which was ordered.

Dr. Baldwin, from the Committee to whom was referred the Petition of the Insolvent Debtors confined in the Gaol of the Home District, reported that the Committee had agreed to a Bill for their relief. Ordered that the report be received, and the Bill for the Relief of Insolvent Debtors was read the first time.

Dr. Baldwin, seconded by Mr. Willson of Prince Edward, moves that the Insolvent Debtors Bill be read a second time on Thursday next. Which was ordered.

Mr. McLean of Stormont, from the Committee appointed to draft an Address to His Excellency, the Lieutenant Governor, relative to His Excellency's Message respecting duties collected at the Port of Quebec, and Bank Funds, reported a draft, which was received and read the first time.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that the Address to His Excellency, the Lieutenant Governor, be read a second time on to-morrow. Which was ordered.

Agreeably to the order of the day, the Auction Duty Bill was read the second time.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that the House do now resolve itself into a Committee of the Whole on the Auction Bill. Which was carried, and Mr. Morris took the Chair of the Committee. The House resumed. Mr. Morris reported the Bill without amendment. Ordered, that the report be received.

Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that the Action Bill be engrossed and read a third time on to-morrow. Which was ordered.

Agreeably to the order of the day, the Hawkers and Pedlars Bill was read the second time.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the Hawkers and Pedlars Bill. Which was carried, and Mr. Chisholm took the Chair of the Committee. The House resumed. Mr. Chisholm reported the Bill without amendment. Ordered, that the report be received.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the Hawkers and Pedlars Bill be engrossed and read a third time on to-morrow. Which was ordered.

Mr. Nichol, from the Committee appointed to confer with the Committee of the Honorable the Legislative Council on the subject matter of the London District Gaol and Court House Bill, reported as follows:

The Committee appointed to confer with a Committee of the Honorable the Legislative Council on the Bill intituled "An Act to provide for the completion of the Gaol and Court House in the London District of this Province," in obedience to the order of the House proceeded to the Conference Chamber and met the Conferees on the part of that Honorable House, by whom they were informed that as no petition had been presented to their House they wished to be satisfied respecting the allegations contained in the preamble of the Bill. They were then informed by your Committee that a Petition to that effect had been before the House of Assembly, with which they expressed themselves satisfied, having received private assurances that a Petition to the same effect to their House had been mislaid.

Mr. Jones of Grenville, from the Joint Committee to confer on the subject matter of that part of His Excellency's Speech delivered at the opening of the present Session, relating to the contemplated union of the Legislatures of Upper and Lower Canada, reported that the Joint Committee had met, but came to no resolution.

Agreeably to the order of the day, the Belleville Police Bill was read the second time.

Mr. White, seconded by Mr. Willson of Prince Edward, moves that the House do now resolve itself into a Committee of the Whole on the Belleville Police Bill. Which was carried, and Mr. Gates took the Chair of the Committee. The House resumed. Mr. Gates reported the Bill as amended.

On the question for receiving the report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Jones (Grenville), Pattie, Kerr, Willson (Prince Edward), Randal, Clark, Peterson, Wilmot, Baby, White, Horner, Ruttan, Rogers, Gates, Crooks, Burwell, Hamilton (Lincoln), Morris, Hagerman, Casey, Shaver, Bostwick.

Nays: Messrs. Hamilton (Wentworth), Walsh.

The question was carried in the affirmative by a majority of twenty-one, and the report was received accordingly.

Mr. White, seconded by Mr. Wilson, of Prince Edward, moves that the Belleville Police Bill be engrossed and read a third time on Wednesday next. Which was ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. Jones, of Grenville, moves for leave to bring in a Bill to appropriate a certain sum of money for the purpose therein mentioned. Which was granted, and the Bill read.

Mr. Morris, seconded by Mr. Chisholm, moves that the Bill to appropriate a sum of money for the purposes therein mentioned be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Collectors' Bill was read the second time.

Mr. Jones of Grenville, seconded by Mr. Shaver, moves that the House do now resolve itself into a Committee of the Whole on the Collectors' Bill. Which was carried, and Mr. Crooks took the Chair of the Committee. The House resumed. Mr. Crooks reported progress, and asked leave to sit again on Wednesday next. Ordered, that the report be received, and leave was granted accordingly.

Agreeably to the order of the day, the House went into Committee on the School Bill, Mr. McLean of Stormont in the Chair. The House resumed. Mr. McLean reported the Bill as amended. Ordered, that the report be received.

Mr. Clark, seconded by Mr. Crooks, moves that the Bill for the Relief of Common School Teachers be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to notice, Mr. Casey, seconded by Mr. Shaver, moves for leave to bring in a Bill to confirm certain Marriages within this Province. Which was granted, and the Bill read.

Mr. Casey, seconded by Mr. Shaver, moves that the Marriage Confirmation Bill be read a second time to-morrow. Which was ordered.

Agreeably to notice, Mr. VanKoughnet, seconded by Mr. Jones of Grenville, moves that a call of the House be the first thing in the order of the day during the remainder of the Session. Which was ordered.

Agreeably to notice, Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the Committee of the Whole House on Supply be first on the order of the day after the call of the House on Friday next. Which was ordered.

Agreeably to the order of the day, the Militia Bill was read the second time.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that the House do now resolve itself into a Committee of the Whole on the Militia Bill. Which was carried, and Mr. Hagerman took the Chair of the Committee.

The House resumed. Mr. Hagerman reported the Bill as amended. Ordered, that the Report be received.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Militia Bill be engrossed, and read a third time to-morrow. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 18th February, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. McLean of Stormont, seconded by Mr. Jones of Leeds, moves for leave to bring up the Petition of Ambrose Blackstock, Esquire. Which was granted, and the Petition brought up.

Dr. Baldwin, seconded by Mr. Peterson, moves for leave to bring up the Petition of Francis Lee. Which was granted, and the Petition brought up.

Agreeably to the order of the day, the House was called over. Absent: Messrs. Randal, Baby and Willson of Wentworth.

Agreeably to the order of the day, the Auction Duty Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Auction Bill do now pass, and that it be intituled "An Act to continue for a limited time an Act, passed in the fifty-eighth year of His late Majesty's Reign, intituled An Act granting to His Majesty a duty on Licenses to Auctioneers, and on goods, wares and merchandise sold by Auction." Which was carried and the Bill signed.

Agreeably to the order of the day, the Hawkers and Pedlars Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Bill do now pass, and that it be intituled "An Act to continue for a limited time an Act passed in the forty-eighth year of His late Majesty's Reign, intituled An Act to repeal part of and amend an Act, passed in the fifty-sixth year of His Majesty's Reign, intituled An Act granting to His Majesty Duties on Licenses to Hawkers, Pedlars

and Petty Chapmen and other trading persons therein mentioned, and to extend the provisions of the same." Which was carried, and the Bill signed.

Agreeably to the order of the day, the School Bill was read the third time.

Mr. Clark, seconded by Mr. Hamilton of Wentworth, moves that the Bill do now pass, and that it be intituled " An Act for the relief of Teachers of the Common Schools in the Niagara District." Which was carried and the Bill signed.

Agreeably to the order of the day, the Militia Bill was read the third time.

Mr. Morris, seconded by Mr. Jones of Grenville, moves that the following clause be added to the Bill as a Rider:

" And whereas the strength of Militia Companies is at present too limited, be it further enacted by the authority aforesaid that so much of the tenth clause of an Act passed in the forty-eighth year of His late Majesty's Reign, intituled 'An Act to amend, explain and reduce to one Act of Parliament the several Laws now in being for the raising and training the Militia of this Province,' as declares that Companies of Militia shall consist of not more than fifty nor less than twenty men, be, and the same is hereby repealed, and that the said Companies shall in future consist of not more than eighty, nor less than thirty private men." Which was carried.

Mr. Chisholm, seconded by Mr. Clark, moves that the Petition of the inhabitants of Nelson and East Flamborough, respecting the Herring Fishery, be referred to a Select Committee, with leave to report thereon by Bill or otherwise, and that the said Committee shall be composed of Messrs. Jones of Grenville, Ruttan and Willson of Wentworth. Which was ordered.

Mr. Willson, of Wentworth, seconded by Mr. Chisholm, moves that Messrs. Clark and Kerr be a Committee to carry up to the Honorable the Legislative Council the Act for the relief of Teachers in the Common Schools in the Niagara District, and request the concurrence of that Honorable House thereto. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Protection Bill, Mr. Shaver in the Chair.

The House resumed. Mr. Shaver reported progress, and asked leave to sit again this day three months.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean (Stormont), Jones (Leeds), Gordon, Nichol, Hamilton (Wentworth), Chisholm, Walsh, Baby, Gates, Burwell, Jones (Grenville), Hagerman, Morris, Casey, McDonell, Shaver, VanKoughnet, Bostwick.

Nays: Messrs. Clark, Willson (Wenworth), Randal, Wilmot, Peterson, Baldwin, Willson (Prince Edward), White, Horner, Ruttan, Rogers, Crooks, Pattie.

The question was carried in the affirmative by a majority of five, the Report received, and leave granted accordingly.

Mr. Jones, of Grenville, seconded by Mr. Morris, moves that the Militia Bill do now pass, and that it be intituled "An Act to repeal part of the tenth clause of an Act passed in the forty-eighth year of the Reign of His late Majesty, intituled 'An Act to explain, amend, and reduce to one Act of Parliament the several Laws now in being for the raising and training the Militia of this Province,' and also part of an Act passed in the last Session of Parliament, intituled 'An Act to repeal part of and amend the Laws now in force for the raising and training the Militia Laws of this Province,' and to increase the strength of the Companies." Which was carried and the Bill signed.

Mr. Jones, of Grenville, seconded by Mr. Morris, moves that Messrs. McDonell and Kerr be a Committee to carry up to the Honorable the Legislative Council

the Hawkers' and Pedlars' Bill, the Auctioneers' Bill, and the Militia Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Weights and Measures Bill, Mr. Bostwick in the Chair.

The House resumed. Mr. Bostwick reported the Bill as amended. Ordered that the Report be received.

Mr. Gates, seconded by Mr. Ruttan, moves that the Weights and Measures Bill be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the State of the Province, Mr. Gates in the Chair of the Committee.

The House resumed. Mr. Gates reported progress, and asked leave to sit again to-morrow. Ordered that the Report be received, and leave was granted accordingly.

Mr. Rogers gives notice that he will, on to-morrow, move for leave to bring in a Bill for the better division of the County of Prince Edward into Townships.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 19th February, 1823.

The House met: Prayers were read: The minutes of yesterday were read: According to the order of the day the Roll was called.

Absent:—Messrs. Kerr, Baby, Rogers, Willson, of Wentworth, and Chisholm.

Agreeably to the order of the day, the Belleville Police Bill was read the third time.

Mr. White, seconded by Mr. Willson, of Prince Edward, moves that the Bill do now pass, and that it be intituled "An Act to establish a Police in the Town of Belleville." Which was carried, and the Bill signed.

Mr. White, seconded by Mr. Willson, of Prince Edward, moves that Messrs. Wilmot and Peterson be appointed a Committee to carry up to the Honorable the Legislative Council the Belleville Police Bill, and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Weights and Measures Bill was read the third time.

Mr. Ruttan, seconded by Mr. Gates, moves that the Bill do now pass, and that the title be "An Act to repeal an Act passed in the thirty-second year of His late Majesty's Reign, intituled 'An Act to establish the Winchester Measure, and a standard for other weights and measures throughout this Province,' and to make more effective provision for the establishment of an uniformity of weights and measures throughout this Province." Which was carried, and the Bill signed.

Mr. Jones, of Leeds, seconded by Mr. Pattie, moves that Messrs. Ruttan and Kerr be a Committee to carry up to the Honorable the Legislative Council the Weights and Measures Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petition from sundry inhabitants of the Province of Upper Canada, against Orange Societies and all other Party distinctions was read.

Mr. McDonell, seconded by Mr. Jones, moves that the said Petition be referred to a Select Committee to report thereon by Bill or otherwise, and that Messrs. Baldwin and Hagerman do constitute the said Committee. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Sale of Lands Bill, Mr. Burwell in the Chair.

The House resumed. Mr. Burwell reported progress, and asked leave to sit again this day three months. Ordered that the Report be received, and leave was granted accordingly.

Agreeably to the order of the day, the House went into Committee on the state of the Province. Mr. Gates in the Chair.

The House resumed. Mr. Gates reported progress, and that the Committee had agreed to two Resolutions, which he was directed to submit for the adoption of the House.

The first Resolution was then put, on which the House divided, and the yeas and nays being called were taken as follows:

Yeas: Messrs. McLean (Stormont), Gordon, Willson (Wentworth), Peterson, Hamilton (Wentworth), Wilmot, Baldwin, Willson (Prince Edward), White, Baby, Walsh, Ruttan, Casey, Horner, Rogers, Hagerman, Jones (Grenville), Bostwick.

Nays: Messrs. Jones (Leeds), Nichol, Randal, Gates, Crooks, Burwell, Chisholm, Kerr, Morris, VanKoughnet, McDonell, Shaver, Hamilton (Lincoln).

The question was carried in the affirmative by a majority of five, and it was

Resolved, That it is the opinion of this House that the consideration of the Union Bill in the Imperial Parliament was postponed for the purpose of ascertaining the sense of His Majesty's Canadian Subjects on the great and important change.

The second Resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Gordon, Clark, Willson (Wentworth), Peterson, Hamilton (Wentworth), Wilmot, Baldwin, Willson (Prince Edward), White, Baby, Walsh, Ruttan, Casey, Horner, Rogers, Hagerman, Jones (Grenville), McLean (Stormont).

Nays: Messrs. Jones (Leeds), Nichol, Pattie, Randal, Gates, Crooks, Burwell, Chisholm, Kerr, Morris, VanKoughnet, McDonell, Shaver, Hamilton (Wentworth), Bostwick.

The question was carried in the affirmative by a majority of three, and it was

Resolved, That the present Representatives of the People do not feel themselves justified in expressing the opinion of their Constituents on a matter so materially affecting the Constitution of the Country, having been elected previous to the contemplation of so great a change, and do not feel themselves called upon in their representative capacity to express any opinion, the great body of the people themselves having made known their sense thereon by Petitions and Remonstrances direct to the foot of the Throne, and to the two Houses of the Imperial Parliament.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to provide for the completion of the Gaol and Court House in the London District of this Province," which they had passed without any amendment.

The House then adjourned till ten o'clock to-morrow.

Thursday, 20th February, 1823.

The House met: Prayers were read: The Minutes of yesterday were read.

Mr. Willson, of Wentworth, seconded by Mr. Wilmot, moves for leave to bring up the Petition of Daniel Harris, of the Township of Toronto, in the Home District. Which was granted, and the Petition brought up.

Dr. Baldwin, seconded by Mr. Willson, of Wentworth, moves for leave to bring up the Petition of the inhabitants of Chingacousy and Toronto. Which was granted, and the Petition brought up.

Mr. Willson, of Wentworth, seconded by Mr. Wilmot, moves that he have leave to bring up the Petition of Peter McCallum and others. Which was granted, and the Petition brought up.

Mr. Nichol, seconded by Mr. Burwell, moves that he have leave to bring up the Petition of Abraham A. Rapelge, Esq., Sheriff of the London District. Which was granted, and the Petition brought up.

Agreeably to the order of the day, the House was called.

Absent:—Messrs. Hagerman, Horner, White, Baby, Rogers and Randal.

Agreeably to the order of the day, the Petition of Ambrose Blackstock, Esq., praying that certain British Acts may be added to the Statutes of this Country, and the Petition of Francis Lee, praying to be restored to the Pension List, were read.

Mr. Wilmot, seconded by Dr. Baldwin, moves that the Petition of Francis Lee be referred to the same Committee to whom was referred the Petition of Crawford and others. Which was ordered.

Agreeably to notice, Mr. VanKoughnet, seconded by Mr. Shaver, moves that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor, praying him to require the Treasurers of the several Districts throughout this Province to render an Account in Detail of all the Moneys which have come into their hands since the commencement of the year 1809 to the present date, and manner in which the same has been laid out and expended, producing at the same time the different vouchers and receipts, to be laid before this House at an early date of the next Session of Parliament.

In amendment, Mr. Jones, of Grenville, seconded by Mr. Baldwin, moves that in the original motion after the word "him" the whole be expunged, and the following words inserted, "to direct the proper officer to lay before this House a copy of the Treasurer's Accounts for the several Districts of this Province from the year 1809, at an early date of the next Session. Which was carried.

The original motion as amended was then put and carried.

Mr. VanKoughnet, seconded by Mr. Jones, of Grenville, moves that Messrs. Baldwin and Shaver be a Committee to draft an Address to His Excellency the Lieutenant Governor pursuant to the foregoing Resolution. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Salt Inspection Bill, Mr. Hagerman in the Chair.

The House resumed. Mr. Hagerman reported that the Committee had risen.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Pattie, Willson (Wentworth), Hamilton (Wentworth), Peterson, Walsh, Baldwin, Baby, Horner, Burwell, Willson (Prince Edward), Casey, Shaver, VanKoughnet, Bostwick.

Nays: Messrs. Nichol, Gordon, Clark, Randal, Wilmot, Ruttan, Chisholm, Gates, Hamilton (Lincoln), Morris, Kerr, McLean (Stormont).

The question was decided in the affirmative by a majority of three, and the Report was received accordingly.

Agreeably to the order of the day, the House went into Committee on the Controverted Election Bill, Mr. Hagerman in the Chair.

The House resumed. Mr. Hagerman reported that the Committee had risen.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Pattie, Randal, Clark, Willson (Wentworth), Hamilton (Wentworth), Peterson, Wilmot, Walsh, Willson (Prince Edward), Baldwin, Baby, Horner, Chisholm, Casey.

Nays: Messrs. Nichol, Burwell, Gordon, Ruttan, Jones (Leeds), Crooks, Gates, Kerr, Hamilton (Lincoln), Morris, Hagerman, Jones (Grenville), Shaver, VanKoughnet, McLean (Stormont), Bostwick.

The question was carried in the negative by a majority of two, and the Report was not received.

The House went again into Committee on the Controverted Election Bill, Mr. Hagerman in the Chair.

The House resumed. Mr. Hagerman reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House. Ordered that the Report be received, and it was

Resolved, That it is the opinion of this House that the Controverted Election Bill be referred to a Select Committee.

Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that Messrs. Baldwin, Willson, of Wentworth, McLean, of Stormont, and Gordon compose the Committee. Which was ordered.

Mr. Clark, from the Committee to carry up to the Honorable the Legislative Council the Bill for the relief of the Common School Teachers of the District of Niagara, and request their concurrence thereto, reported that they had done so.

Agreeably to the order of the day, the House went into Committee of the Whole on the Heir and Devisee Bill, Mr. VanKoughnet in the Chair.

The House resumed. Mr. VanKoughnet reported that the Committee had dissolved for want of a quorum.

The House adjourned for one hour and then met pursuant to adjournment.

Agreeably to the order of the day, the District Court Bill was read the second time.

Mr. Jones, of Grenville, seconded by Mr. VanKoughnet, moves that this House do now resolve itself into a Committee of the Whole on the District Court Bill. Which was carried. Dr. Baldwin took the Chair of the Committee.

The House resumed. Dr. Baldwin reported the Bill as amended. Ordered that the Report be received.

Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that the District Court Bill be engrossed, and read a third time on to-morrow. Which was ordered.

Agreeably to the order of the day, the Law Report Bill was read the second time.

Mr. Jones, of Grenville, seconded by Mr. Hagerman, moves that the Law Report Bill be now referred to a Committee of the Whole House. Which was carried, and Mr. Gordon took the Chair of the Committee.

The House resumed. Mr. Gordon reported progress, and asked for leave to sit again to-morrow. Ordered that the Report be received, and leave was granted accordingly.

Dr. Baldwin, from the Committee to draft an Address to His Excellency the Lieutenant Governor, on the subject of Treasurer's Accounts, reported a draft, which was received and read the first time.

Mr. VanKoughnet, seconded by Mr. Shaver, moves that the Address to His Excellency the Lieutenant Governor be adopted. Which was carried.

Mr. VanKoughnet, seconded by Mr. Shaver, moves that the Address to His Excellency the Lieutenant Governor be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, on the subject of Bank Message, was read the second time.

Mr. Jones, of Grenville, seconded by Mr. McLean, of Stormont, moves that the Address to His Excellency on the subject of his Message upon the Revenue from Lower Canada and the Bank of Upper Canada be adopted. Which was ordered.

Mr. Jones, of Grenville, seconded by Mr. McLean, of Stormont, moves that the Address to His Excellency be engrossed and read a third time to-morrow. Which was ordered.

Mr. McLean, of Stormont, gives notice that he will, on to-morrow, move certain Resolutions, expressive of the sense this House entertains of the ability, zeal and fidelity with which John Beverly Robinson, Esquire, His Majesty's Attorney General, and a Member of this House, has performed the important services entrusted to him as a Commissioner appointed to lay at the foot of the Throne the Joint Address and Report of the Legislative Council and House of Assembly of this Province respecting our financial and commercial relations with Lower Canada.

Mr. McLean, of Stormont, gives notice that he will, on to-morrow, move that this House do resolve itself into a Committee of the Whole, to take into consideration the Heir and Devisee Bill.

Mr. Jones, of Leeds, gives notice, that he will, on Monday next, move a Resolution for expunging from the Journals of this House the Resolutions adopted yesterday, on the subject of the proposed Union, and also that he will move other Resolutions on the same subject.

Dr. Baldwin gives notice that he will, on to-morrow, move for leave to bring in a Bill to repeal the Act passed in the second year of His present Majesty's Reign, intituled "An Act for altering the time of holding the General Quarter Sessions of the Peace in the Home District."

Mr. Kerr gives notice that he will, on Thursday next, move for leave to bring in a Bill to continue certain parts of an Act, passed in the fifty-ninth year of His late Majesty's Reign, establishing a Police in the Town of Niagara.

Mr. Nichol gives notice that he will, on to-morrow, move that it be resolved that the President, Directors and Company of the Bank of Upper Canada be directed to lay before this House a statement of the names of the Stockholders of that Institution, the number of shares subscribed for and held by the said Stockholders, and also the amount of stock paid in on account of such shares respectively.

The House then adjourned till ten o'clock to-morrow.

Friday, 21st February, 1823.

The House met: Prayers were read: The minutes of yesterday were read.

Agreeably to the order of the day, the House was called.

Absent: Messrs. Gates, Rogers, Kerr, Randal, Horner, Baby and Willson, of Wentworth.

Agreeably to the order of the day, the District Court Bill was read the third time.

Mr. Jones, of Grenville, seconded by Mr. Burwell, moves that the District Court Bill do now pass, and that it be intituled "An Act to repeal part of an Act passed in the thirty-third year of His late Majesty's Reign, intituled 'An Act to establish a Court of Probate in this Province, and also a Surrogate Court in every District thereof'; also part of an Act, passed during the last Session of the present Parliament, intituled 'An Act to reduce into one Act the several laws now in force

establishing District Courts and regulating the practice thereof, and also to extend the powers of the said District Courts'; and also part of an Act, passed during the present Session, intituled 'An Act to provide for the establishment of Courts in the District of Bathurst, and for other purposes therein mentioned'; and also to alter the times of holding the District and Surrogate Courts, and further to extend the power of the said District Courts." Which was carried, and the Bill signed.

Mr. Morris, seconded by Mr. Ruttan, moves that Messrs. Jones, of Grenville, and Gates be a Committee to carry up to the Honorable the Legislative Council the District Court Bill and request their concurrence thereto. Which was ordered.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the first Report of the Committee on Public Accounts be referred to the Committee of the Whole on Supply. Which was ordered.

Agreeably to the order of the day, the Address to His Excellency, the Lieutenant Governor, on the subject of Treasurers' Accounts was read the third time, and is as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly pray Your Excellency to be pleased to direct the proper officer to lay before this House a copy of the Treasurers' Accounts for the several Districts of this Province, from the year 1809, at an early day in the next Session.

Commons House of Assembly, 21st February, 1823.

Levius P. Sherwood, Speaker.

Mr. VanKoughnet, seconded by Mr. Bostwick, moves that Messrs. Morris and Shaver be a Committee to wait upon His Excellency, the Lieutenant Governor, to know when he will be pleased to receive the Address of this House upon the subject of the Treasurer's Accounts, and to present the same. Which was ordered.

Agreeably to the order of the day, the Address to His Excellency, the Lieutenant Governor, on the subject of the Duties collected at the Port of Quebec and Bank Message, was read the third time, and is as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament Assembled, beg leave to return our humble thanks for Your Excellency's gracious messages, transmitting to the House a copy of the General Statement of Duties levied at the Port of Quebec from the sixth day of July to the tenth of October, 1822, together with a note thereon by the acting Inspector General. Also calling the attention of this House to the amount of Provincial funds vested in the Bank of Upper Canada and suggesting the propriety of ensuring the public a representation on an equitable scale at the Board for directing the affairs of that Institution; and to assure Your Excellency that this House will not fail to give the subject matter thereof due consideration.

Commons House of Assembly, 21st February, 1823.

Levius P. Sherwood, Speaker.

Mr. Jones, of Grenville, seconded by Mr. McLean, of Stormont, moves that Messrs. Morris and Shaver be a Committee to wait upon His Excellency, the Lieutenant Governor, to know when he will be pleased to receive the Address of this House, and to present the same. Which was ordered.

Agreeably to the order of the day, the Cramahe Bill was read the second time.

Mr. Ruttan, seconded by Mr. Gates, moves that the House do now resolve itself into a Committee of the Whole on the Cramahe Boundary Bill. Which was carried, and Mr. Crooks took the Chair of the Committee.

The House resumed. Mr. Crooks reported progress, and asked for leave to sit again on Monday next. Ordered, that the Report be received, and leave was granted accordingly.

Agreeably to the order of the day, the Crooks Relief Bill was read the second time.

Mr. Hamilton, of Wentworth, seconded by Mr. Wilmot, moves that this House do now resolve itself into a Committee of the Whole on the Crooks Relief Bill. Which was carried, and Mr. Bostwick took the Chair of the Committee.

The House resumed. Mr. Bostwick reported the Bill without amendment. Ordered, that the Report be received.

Mr. Hamilton, of Wentworth, seconded by Mr. Wilmot, moves that the Crooks Relief Bill be engrossed, and read a third time on Monday next. Which was ordered.

Agreeably to the order of the day, the Bathurst Appropriation Bill was read the second time.

Mr. Morris, seconded by Mr. Hamilton, of Lincoln, moves that the House do now resolve itself into a Committee of the Whole on the Bill to appropriate a sum of money for the purposes therein mentioned. Which was carried, and Mr. Casey took the Chair of the Committee.

The House resumed. Mr. Casey reported the Bill without amendment. Ordered, that the Report be received.

Mr. Morris, seconded by Mr. Jones, of Grenville, moves that the Bill to appropriate a sum of money for the purposes therein mentioned be engrossed, and read a third time on Monday next. Which was ordered.

Mr. Hagerman, from the Committee to draft an Address to His Excellency, the Lieutenant Governor, on the subject of two Circuits, reported a draft, which was received and read the first time.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the Address to His Excellency, the Lieutenant Governor, be read a second time this day, and that the fifth Rule of the House be dispensed with in so far as relates to the same. Which was carried, and the Address was read the second time.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the Address to His Excellency, the Lieutenant Governor, be adopted. Which was carried.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the Address to His Excellency, the Lieutenant Governor, be engrossed, and read a third time this day. Which was ordered.

Mr. VanKoughnet, from the Committee to whom was referred the Petition of the Reverend William Smart and others, reported as follows:

To the Honorable the Commons House of Assembly of Upper Canada in Provincial Parliament assembled.

The Committee to whom was referred the Petition of the Reverend William Smart and others, of the Town of Brockville, praying for a grant of money out

of the Provincial Funds for the erecting of a Bridge arcoss a Creek in the Township of Yonge in the Johnstown District, upon the King's Highway leading to Kingston, which was condemned by a Jury and pulled down; are perfectly aware of the necessity of a Bridge being erected across the said Creek, and do therefore humbly submit the same to the consideration of this Honorable House.

Committee Room, 20th February, 1823.

P. VanKoughnet, Chairman.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the Select Committee on the Petition of William Smart and others be directed to reconsider the Report made by them. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson, Peterson, Pattie, Gates, Jones (Grenville), Casey, Hagerman, Baldwin.

Nays: Messrs. Jones (Leeds), Clark, Randal, Hamilton (Wentworth), Walsh, Wilmot, White, Baby, Horner, Kerr, Chisholm, Crooks, Burwell, Hamilton (Lincoln), Morris, VanKoughnet, Ruttan, Bostwick.

The question was decided in the negative by a majority of eleven, and was lost accordingly.

Mr. Hagerman, seconded by Mr. Casey, moves that the Report of the Select Committee on the Petition of William Smart and others be referred to a Committee of the Whole House on Monday next. Which was ordered.

Mr. Jones, of Grenville, from the Committee to whom was referred the Banking Institutions of this Country, reported that the Committee had agreed to a Report, which was read as follows:

The Committee appointed by Your Honorable House to take into consideration the Banking Institutions in this Province and the Paper Currency circulated therein, proceeded to such consideration, and took the following examinations of witnesses:

Mr. Smith Bartlet was Cashier of the late Bank of Kingston, which was established by Articles of Association in 1819; was not chartered; Capital Stock was £125,000, divided into five hundred shares at £25 each; does not know the number of shares subscribed. Bills issued were payable out of the first funds of the Association, and no other. The affairs were managed by a President and Eight Directors chosen by the Stock-holders; the Officers of the Bank were a Cashier and Teller, the latter of whom acted as Book-Keeper. Bills not payable at any particular place originally, but some were stamped before being issued "payable at the Bank of Canada"; Bank does not now carry on business, but has failed. Affairs of the Bank have not been settled, but are in a train of settlement. The Bank stopped payment in consequence of not having in their vaults Specie sufficient to redeem the Bills presented for payment; at which time was not aware of any deficiency in the funds; discovered when the examination of the Books commenced the amount not ascertained till the examination closed deficiency £5,800, which must have been abstracted; the abstraction was of the money of the Bank; considers the Specie and Bills as money. Duty as Cashier to look to the affairs of the Bank, keep the custody of the books and money. Gave a Bond in £10,000 with two securities, Copy "A," original in possession of Neil McLeod. A release is endorsed on back of the said Bond, signed by two of the Trustees, of which the accompanying is a copy, "B"; the three Trustees to whom was given the Bond were at the time Directors; when the release was given only the two who signed it were Directors; Mr. Whitney

was the only President of the Bank. In the month of August, was suspended by the Directors. After this suspension Mr. Whitney gave out that he was going to Newcastle, and in the night time left Kingston, not for Newcastle, but for Montreal. There was a deposit of the Bank in the Canada Bank, where the notes of the Bank were redeemed, and upon Mr. Whitney's suspension gave notice to the Bank of Canada, as well as to the different Agents of the Bank, of such suspension.

This notice was given the first Post after suspension; before the arrival of this notice to the Bank of Canada in the due course of Post, Mr. Whitney arrived at Montreal, and presented himself at the Bank of Canada and offered to take charge of any redeemed Bills of the Bank of Kingston Bank, as he had often done before for the purpose of delivering them at the Bank at Kingston, in consequence of which Mr. Armour, Cashier of the Canada Bank, gave Mr. Whitney a parcel containing £8,000 of the redeemed Bills, as well as a letter addressed to witness. Mr. Whitney returned from Montreal, delivered the letter and said he had a parcel of money which he would not deliver, of which witness gave advice to Mr. Armour. Mr. Armour informed the witness in reply to his letter last mentioned that he had ascertained that Mr. Whitney had circulated £1,000 of the redeemed Bills delivered to him for Witness, and that in consequence thereof he refused redeeming any more; this was the first and primary cause of the failure of the Bank. Mr. Whitney being applied to to deliver up the money offered to do so upon receiving the sum of £500, upon being released from his liability in the Bond, and upon the Directors agreeing to withdraw the notice published of an intended investigation into his conduct as President. The Directors being desirous of re-establishing the credit of the Bank, which could not have been done without the possession of the £8,000 agreed to allow him £250, as a consideration of his services as President, and release him from the said bond, which they were ultimately, though most unwillingly compelled to do; and also withdrew the notice. The President was not entitled to any salary, but the sum of £250 was not thought too much for his services and the money expended by him in travelling expenses, etc., and therefore only objected to by some of the Directors on the ground of his misconduct and inability in the Bank to pay the amount at that time.

Ferguson had access to the funds of the Bank occasionally, and for about one month of sickness of the witness in the month of June and July last, both the President and Teller had constant access to the funds. During this period, however, Mr. Whitney was a week absent in Montreal, and in his absence Ferguson had charge of the funds; no other Directors or Stockholders had anything to do with the funds.

Mr. Whitney's note for £2,180 was among the notes of the Bank, when Mr. Bartlet was taken sick; on returning to the Bank found his note taken away, and one in place of it for £1,700, not indorsed, and entered in the books as if approved by the Directors.

Discounts were generally limited to three times the amount of the Stock; there were a number of notes not renewed or paid at the time of the failure. The Cashier has charge of the money, and none without an order of the Directors had a right to meddle with it.

The Directors met one day in each week for discount and for other purposes connected with the Bank. A statement was weekly laid before the Directors purporting to show the amount of stock paid in, the amount of deposits, amount of notes in circulation, the amount of discounts and debts due by the Bank, and amount of the funds of the Association in Specie, Bills of Exchange, etc., imme-

diately in the hands of the Bank, in the hands of Agents, or elsewhere. This statement was made up by Ferguson from the Books and Accounts kept by himself. Witness sometimes made entries in the Blotter; Teller gave security by bond similar to the one marked "A" to the Cashier and his successor in office in £5,000, two securities, Robt. Walker and John Balfour.

The Directors were Messrs. Whitney, President; Richmond, Vice-President; Hagerman, McLean (Sheriff), Murney, McLeod, Thomas Dalton, Bartlet and Cuming.

There were many errors in the books, and until these were corrected the deficiency could not have been discovered.

Benjamin Whitney, Esq.—Was the only President of the Bank; was suspicious for some weeks before the failure of the Bank that there had been an abstraction of funds from circumstances of Mr. Bartlet's conduct and a partial view of the books. The books were principally kept by Ferguson, the Teller; Bartlet's hand appeared sometimes in the books, does not recollect seeing his handwriting in other book than the Blotter. Went to Montreal in March and returned sometime in June; soon after his return asked Bartlet if the books were posted; Bartlet replied they were not. Wished him to post or direct them to be posted, as himself and others wished to ascertain a correct statement of the books. This not being done he commenced an examination of the books, notes and accounts; found discounts given to many which he did not approve of; amounts increased; and 71 notes not renewed, of which notes he made a list. This was in August. Bartlet was in and out of the Bank, not attending constantly as he ought to do. When he had completed a list of the notes not renewed, Bartlet not being there and it being about the hour of the closing of the Bank gave the list to Ferguson, desired him to hand it to Bartlet and get as many of them renewed as possible by the next discount day, was informed by Ferguson that he gave the list to Bartlet, who tore it up, and said it was none of Whitney's business. Urged the posting of the books, was informed two days after that that the books were posted; examined Dalton's Account and found that he owed about £3,000; supposed that his account was about £1,100; asked Ferguson if this were a correct statement of Dalton's Account; he said it was; Bartlet replied that it was not; Witness asked if it were in fact as it appeared that so many notes remained not renewed. Ferguson said yes, and Bartlet denied it. Being wholly dissatisfied with the appearance of the books was determined to investigate the affairs of the establishment, and with Bartlet proceeded to assort the notes preparatory to counting the money. As he finished assorting one parcel another was handed to him by Ferguson or Bartlet till it was reported that that was all. Bartlet was absent a good deal of the time during Bank Hours; this was sometime in August. On another day Whitney said to Bartlet he was ready to count the money; Bartlet replied that it was already counted, and gave a statement of the whole. Ferguson observed that there were sufficient funds in the Bank and a surplus of £200, in which Bartlet concurred. Ferguson accounted for the surplus by saying that the money had been deposited and checks given without being entered. Whitney said to Bartlet, shall we proceed to examine the money to see if you are correct? He replied, I have examined it, and you may if you choose; he accordingly, in the presence of Bartlet and Ferguson, commenced and found several of the parcels correct, admitting each small parcel as marked to contain 100 notes. The large parcels were marked as containing £4,000. At length he discovered that one of the large parcels contained £5,350. He called Bartlet, and pointed out the error, to which Bartlet made little or no reply. He made a new

bordreau, and put the parcel down as corrected, and continuing the examination found another containing £4,150; called Bartlet again and pointed out the error; no reply; corrected it and proceeded as before, concluded the examination and made the amount £1,500 more than the Statement given him by Bartlet. At the closing of the Bank said to Bartlet that he would proceed to compare the notes with the Bill Book in the morning. On coming to the Bank in the morning received a note from Bartlet informing him that he was ill, and stating that he, Bartlet, did not know why Whitney wished to examine the notes, as that was a business of his own. Considered this extraordinary, and told Ferguson to exhibit the notes and they would proceed to the examination. Ferguson replied that he was ordered by Bartlet not to exhibit the notes. Witness said that he had no right to give such orders, and insisted upon Ferguson producing the notes. Ferguson begged Whitney not to insist upon it; that Bartlet would probably be there in the course of the day; then returned to the examination of the books. In the course of the day Bartlet came to the Bank. Whitney spoke to him as if nothing had transpired, and said he was ready to proceed with the examination spoken of last night. Bartlet replied that he did not know what particular business Whitney had to see the notes, that it was a business of his own. Whitney said there could be no objection, he had devoted himself to the examination and it would at all events assist him. Bartlet then said he should not submit the notes to Whitney without an order from the Directors. Bartlet then agreed at the request of Whitney to make out a statement himself in the course of a week, and submit it to the Directors. Whitney went to Mr. McLeod and acquainted him with the information he had obtained and also with the suspicious conduct of Bartlet; spoke particularly of Dalton's Account, which McLeod said must be incorrect, as no money had been loaned him, after Witness went to Montreal if he had anything further it was without the consent of the Directors. It was settled between them that Whitney had better proceed quietly to get the information.

Went to Sheriff McLean, and stated some circumstances; also that Bartlet owed £1,200 for Jefferson County Bills, for which he had given no acknowledgment or security. Mr. McLean was of the same opinion with Mr. McLeod. Some time passed in waiting for the promised statement; a partial one on slips of paper was given which, not being satisfactory, Whitney, in the presence of the Board of Directors, asked Bartlet if he had his statement made out; he replied no, but agreed to have it by the next Discount day. At the next Discount day—present, Messrs. Whitney, Richmond, Dalton, McLean, Bartlet and Murney—Whitney asked Bartlet if he had his statement. He made no reply, but rose and said he had a matter to submit to them. He said his note payable to Whitney in August last had been presented to Whitney and he refused to indorse it, and he wished the opinion of the Board whether such conduct was right, to which Dalton replied that it was infamous; Richmond disapproved of his conduct. Whitney never had refused to indorse the note, except to the Teller some time after the Discount day. McLean said that on the day of Discount he should have endorsed the note or refused to do so. He explained his reasons for not having indorsed the note, which at that time he did not wish to do. It was on account of the amount owed by Bartlet and by Dalton, for whom Bartlet indorsed. Bartlet then complained that Whitney's note for £1,700 had been in the Bank for about two months as a renewal for a note of £2,180, on which he had paid £480, and the old note was delivered to him—and the new one as a renewal and endorsed note had been passed through the Book by Ferguson, payable to Bartlet; Directors refused to proceed in other business till Whitney's note was secured, and adjourned till ten o'clock next day.

At the adjourned meeting on the 29th August, Whitney said he suspected there was a deficiency of £3,000 or £4,000, but that he could not ascertain it correctly on account of the information witheld by Bartlet. Bartlet said he knew there was a deficiency, and that Ferguson should be turned out, as he had been building brick houses, &c., and was the speculator. At this meeting was suspended; stated at the meeting that it struck him there was a deadly conspiracy against the Bank, and they were pursuing the proper course to effect the object.

Whitney, when he went home, told his wife that he was convinced there was a deadly conspiracy against the Bank, that he knew there was money collected at Montreal, and that he thought it was necessary after consulting with his friends and deliberating till after twelve o'clock to set off for Montreal and secure the money there; went down in 42½ hours; went to the Bank and asked how much money they had of the Kingston Bank. Reply, about £8,000; he took that amount. One Thousand Pounds of it he loaned to Gates and Co., the rest he put in an iron chest purchased for that purpose, and put it in charge of a friend and returned home. Told them at the Bank nothing of what had occurred. It was given for the purpose of being delivered at the Bank at Kingston, and was not addressed to any person; at the same time received a letter for Bartlet, was unacquainted with its contents; sent the letter to the Bank, but told Bartlet nothing of the money. A meeting of the Directors and Stockbrokers took place on the day after his return, at which he stated the object of his journey and the fact of his having received the money, and that he would place the same in the vaults of the Bank the moment he could with safety do it, that is as soon as the affairs of the Bank were organized, as they now seemed in a state of anarchy. Cumming, Murney and McLean were present; all expressed satisfaction at his conduct but McLean, and he told him if he were not so impatient all would come right as respected himself. On the return of Mr. Hagerman a meeting was called, at which Whitney was invited to attend and requested to resign his situation as President; that himself and Bartlet should both resign. He declined doing so on account of being bound as security for Bartlet, also for a sum of money payable at the Canada Bank, all which the Directors offered to indemnify him in and to publish a Resolution which would remove any stigma from his character. This was Saturday, and Witness said if they would give him till Monday he would give an answer. On that day he did so resign upon the terms proposed and upon receiving £500 which was unanimously voted him, £250 to be paid immediately and £250 when the affairs of the Bank would allow; since which time he has had nothing to do with the affairs of the Bank.

The £8,000 was not demanded of him, but he stated at the meeting as before, that upon the reorganization of the Bank he would pay in the £8,000. The £8,000 was not paid in till the reorganization was effected.

Before the charges were produced Richmond asked witness if he did not think Bartlet had been making use of the money, and said that Hagerman previous to his departure had informed him that he suspected this was the case.

John W. Ferguson.—Was Teller of the Bank of Upper Canada at Kingston; kept the Books with Bartlet. The weekly statements were incorrect, inasmuch as the amount of notes out was not ascertained. The amount of their own notes was never counted, but put down to make the sheet balance. Bartlet's son, a lad of sixteen years of age, had access to the funds during his father's illness, as also Russell, his nephew.

Robert Stanton, Esq.—Was appointed one of a Committee as stated in paper marked "C" in pursuance of such appointment that Committee made the Report marked "D"; the Books appeared to have been kept by Ferguson, the Teller; almost all the entries having been in his handwriting.

The amount of stock paid in was £11,136 10 0, which was 32 per cent. on each share of the stock subscribed; the number of shares subscribed, 1,393.

Whitney	60	
Murney	20	
Richmond	31	
McLeod	40	
Bartlet	98	
Hagerman	20	
McLean	25	
Cumming	20	
Dalton	91	
	405	at 8....£3,240
	988	

Notes outstanding, 6th February	£18,176	4	1
In Agents' hands	1,964	14	6
Outstanding exclusive of Account in Agents' hands	£16,211	9	7
Add small Bills	46	5	9
	£16,257	15	4
Amounts of debts ascertained, by bonds and notes	£22,227	16	11
Book Debts, say	1,000	0	0
	£23,227	16	11
Notes, etc.	19,764	4	1
	£3,463	12	10
Stock	£11,136	10	0
Amount after payment of debts	3,463	12	10
	£7,672	17	2
Deficiency of Funds	5,884	3	0½
	£1,788	14	1½

John McLean, Esquire.—Was one of the Directors of the late Bank of Kingston in the month of August last; recollects Mr. Whitney's speaking to him respecting Dalton's account, which amounted to much more than he was aware of, and also of the amount due by Bartlet on account of Jefferson County Notes, for which security was to have been taken, to C. A. Hagerman, Esquire, which has since been done; recollects advising Whitney to allow that transaction to remain as it then was until Mr. Hagerman's return.

Bartlet's note for £850 was a renewal; had been passed by Whitney as President as if endorsed by him at the Board of Directors. Whitney subsequently

acknowledged having passed it, and stated his reasons for doing so. Mr. Whitney passed his own note for £1,700 without being endorsed, and took up the original.

Mr. Whitney, on the 29th of August, stated that there was a deficiency in the funds of the Bank to the amount of £2,000; he afterwards stated £4,000.

From the incorrect state of the books it was utterly impossible for him to state that there was any deficiency, as he had it not in his power to ascertain the amount of blanks he had received from the Graphic Company; the last account from them being in the possession of Mr. Hagerman and was not found until the examination of the Books by the Committee appointed for that purpose, and as there was not a correct statement entered of them.

Mr. Whitney obtained £8,000 from the Bank of Canada of the redeemed notes of the Bank at Kingston; £1,000 he put into circulation; £1,000 he brought to Kingston with him, part of which he made use of; the residue he left at Montreal. After his return from Montreal, at the meeting of some of the Stockholders, three Directors present, Whitney proposed to take forcible possession of the Bank notes, etc., belonging to the institution. Does not recollect stating to Whitney not to be so impatient and that all would be right. Whitney refused to give up the £8,000; at a meeting of the Directors it was proposed to both Whitney and Bartlet to resign their offices; Whitney declined doing so unless he was remunerated in some degree for his services as also indemnified for the amount of a note in possession of the Bank of Canada and released from responsibility on account of his Bond as security for Bartlet. This was consequently acceded to, and an order was given for the £6,000 upon some person in Montreal by Whitney, £1,000 paid, and Mr. Gates', of Montreal, note given up, the whole making £8,000.

The only charge known against Bartlet is his having renewed notes to a large amount for Thomas Dalton without the knowledge of the Directors, and which notes were not entered on the offering book.

Bartlet did not acknowledge on the 29th of August that there was a deficiency of the Bank funds, but stated that Ferguson had made a number of errors and that his statements were consequently incorrect.

Dalton and Bartlet's debts to the Bank have been secured by Bond and Mortgage on real property. The amount due by the former is payable in quarterly instalments of £125 with interest; the amount due by the latter payable in the same manner by quarterly instalments of £187 10s., and several instalments have already been paid by Dalton.

"A."

Copy.

Know all men by these presents that we, Smith Bartlet of the Town of Kingston in the Midland District and Province of Upper Canada, Merchant, as Principal; and Benjamin Whitney, of the same Kingston, Merchant, and Patrick Smith, of the same Kingston, Merchant, as securities of the said Bartlet, are holden and stand firmly bound unto Henry Murney, James Geddes and Neil McLeod in the sum of ten thousand pounds of the lawful money of the Province of Upper Canada to be paid to them, the said Henry Murney, James Geddes, and Neil McLeod, their certain Attorney, Executors, Administrators or Assigns, in trust for the Bank of Upper Canada, for which payment well and truly to be made we jointly and severally bind ourselves and our several and respective Heirs, Executors, and Administrators firmly by these presents, sealed with our several seals, and dated the
day of March, in the Year of Our Lord One thousand eight hundred and nineteen.

The condition of the foregoing obligation is such that whereas in and by the Articles of Association of the Bank of Upper Canada it is required that the Cashier of the said Bank, before he enters on the duty of his office, shall give bond with two or more securities to the satisfaction of the Directors in a sum not less than ten thousand pounds, with condition of his good and faithful behavior. And whereas the said Smith Bartlet has been duly appointed Cashier of the said Bank, has accepted the said appointment and is about to enter upon the duties of his said office, now therefore if the said Smith Bartlet shall well and faithfully behave himself in the said office and perform the duties thereof agreeable to law and to the terms of the Association aforesaid, and the regulations of the said Bank, and at the expiration of his office shall well and truly account for and deliver over to his successor in said office all the moneys, notes, Bills, Bonds, Securities, goods and other property in his possession belonging to or deposited with the said Bank, without any embezzlement, waste, misapplication, default or neglect, then the foregoing obligation shall be void, otherwise it shall be and remain in full force and virtue.

[L.S.]
[L.S.]
[L.S.]

"B."

(Copy)

Be it remembered that for and in consideration of the sum of Five Shillings we do by these presents exonerate, discharge and for ever release Benjamin Whitney, Esq., His Heirs, Executors and Administrators of and from all liability or responsibility by him incurred from his being a party to the bond or obligation on the other pages of this paper written. In testimony whereof we have hereunto set our hands and seals this fifteenth day of September in the year of Our Lord One Thousand Eight Hundred and Twenty-two.

(Signed) H. Murney,
N. McLeod.

"C."

(Copy)

At a Meeting of the Stockholders of the Bank of Upper Canada at Kingston this 14th day of October, 1822.

Resolved, That Messrs. Radiger, Thompson and A. McDonell be associated with the Directors for the purpose of investigating the affairs of the Bank.

Resolved, That so soon as it shall be ascertained with certainty when the affairs of the Bank shall be so far investigated as to enable the said Gentlemen and Directors to lay before the Stockholders that a Meeting shall be called for that purpose.

Resolved, That the above gentlemen in conjunction with the Directors have power to employ such persons as they may think proper to assist in the above investigation.

The Directors and Associates appoint Mr. Stanton as a fit person to assist in investigating the affairs of the Bank.

"D."

(Copy)

The Committee appointed to examine the Books and Accounts of the Bank of Upper Canada, report to the Stockholders as follows:

The first object which claimed the attention of Your Committee was the examination of the Teller's Blotters, as from these being the groundwork of all the

transactions of the Bank it might be expected a full and explicit statement of daily occurrences, noted in such a manner as to be easily understood even by an indifferent person. Your Committee have, as far as in their power, examined minutely the different charges made in these Books, but this has not been to their entire satisfaction as will appear from their further report in consequence of the want of that clearness and perspicuity evidently so necessary to be observed in a waste book.

Your Committee then proceeded to the further examination of the Blotters into the Cash Books, and from the Cash Books to the Ledger, and of the Discount and Bill Books, in the course of which they have detected several errors and omissions, which they have as far as practicable rectified; the amount of these and the head of charge under which each item is included they deem incumbent to submit to your consideration.

The Quebec Bank appeared to owe to this Bank a Balance of about £400, this account, after examination with the account of that Institution, the one account checking and proving the other, has been reduced to about £200.

Thomas Scott, Short Charge on Cheque	£25	0	0
Stock paid in not inserted	184	0	0
James Atkinson, short charged	200	0	0
Herman Lett, " "	17	0	0
Maryanne Reid, " "	10	0	0
The difference on Stock between Ledger Stock and Stock Account in general Account Book, taking Stock Ledger as their guide	42	0	0
Wilkie, protested draft not charged to him	45	0	0
Discounts credited, not posted to Ledger	72	0	0
Amount of last dividend charged to profit and loss adjusted	420	0	0
Arch. Richmond, short charged	12	10	0
Anthy. Monahan " "	46	10	0
Errors in addition of Cash Book	436	0	0
D. Perry stock omitted	4	0	0
A sum charged to Discounts as "errors," no error being found to justify such a charge as the sum has been re-credited	1,418	10	0
The difference found between the discount and the notes actually on hand	1,978	0	0
Sundry sums for interest on discounts not credited to profit and loss	40	0	0
The difference between the Balance of Cash Account and the amount of cash actually on hand	2,484	0	0
The difference on balance of the books which remains unexplained about	1,030	0	0

And sundry small sums, which, in the aggregate may amount to about £40, but which from the length of the detail they would require they deem it unnecessary to include in this statement. And in this Statement the omission of a credit to the Bank of Canada of £3,000, received on 5th August and not credited till 24th September is not included, and did not fall within the time of Your Committee's examination, but which appears to have been made subsequently to such an examination having been found necessary.

In the examination of the Bill Book and Discount Book Your Committee have borne in mind your instructions with respect to the detection of any improprieties in the accounts of individuals. On this subject they cannot but express their

surprise that books of so great consequence to the Institution, inasmuch as they should contain a faithful account of all notes discounted, should have been kept in so very irregular a manner. This irregularity arises from entries made in the Bill Book of Discounts to individuals which are not brought forward into the Discount Book, and consequently not entered into the Teller's Blotter of the transactions of the day, by this means the Discount Account in the Ledger becomes fatally incorrect, the Cash Account is affected, and the profit to the Bank on the transaction is lost sight of. Of these several omissions have been noted and when necessary the amounts have been carried through the Books in regular course. This being the case, not of any one particular account, but of several, Your Committee can have no precise knowledge or information that would offer any degree of culpability to the one more than the other.

They would, however, beg leave to remark that by this irregularity discounts may have been made to individuals without the knowledge or consent of the Directors.

In order to curtail this Report as much as possible Your Committee have drawn up a general statement, which they trust will afford an easy reference, as it contains in gross the accounts of each individual since the commencement of the institution to the period of its closing. This Statement is submitted herewith.

On the Profit and Loss Account they would remark that from its very nature, and the great difficulty that might exist in the detection of errors it should have been kept in the most clear and comprehensive manner in case that if reference were necessary it might easily be had. This Account includes the interest on Discounts as well as various other charges; a separate and distinct account for the profits arising from discounts has not been kept which would have been more satisfactory. The Blotters in many instances do not explain the transactions on which the profit or loss has accrued, which leaves this account in an obscurity in many respects reprehensible.

The same remark applies to the premium account, which has not indeed been opened till a very late period.

This brings Your Committee to the time of closing the Account, and which they hoped would have been done at an earlier period, but from the evident want of attention with which the books appeared to have been kept they found it absolutely necessary, although a work of labor and time, to go through the whole of them from the commencement of the operations of the Institution. In the course of their labors reference to the Bank of Canada at Montreal and to the Quebec Bank, as well as to the Agents, has been found necessary. It is, however, satisfactory to them to report that this reference has produced an entire adjustment of accounts with those Institutions, involving large sums of money.

Your Committee beg to express their opinion that though they cannot doubt it has arisen from a regard to the interest of the Institution, an ill-judged economy may in some measure account for the want of attention and neatness inseparably connected with the correctness of books, and so requisite in keeping public accounts, in not having had a Book-Keeper for that particular branch of the duty, who might have been advantageously employed.

Down to the period of Your Committee having thus closed the Accounts, with all these causes operating against it and the many unavoidable delays for necessary reference to distant Institutions they however derived this satisfaction that as on transactions involving so large sums of money they did not discover any losses to the Bank in the course of business that could materially involve the prosperity of the Institution, and which were indeed so trifling as comparatively to be of little consequence, and therefore they could not from the general complexion of its affairs

expect to realize the result that any profit would be ascertained to the Stockholders; they were nevertheless sanguine that making allowance for the pressure of business as the cause of want of regularity in the minor considerations they should at all events come to the desirable conclusion that the institution though much neglected would produce nothing to which criminality could be immediately attached, and that its entire solvency would exonerate all concerned from any degree of culpability.

It is with much regret, therefore, that Your Committee in submitting herewith an account containing the result of their labors have found a large sum deficient.

This deficiency it is unable to account for from any losses sustained in the course of business, and for the means by which so large a sum had been applied without any account being rendered for it, they must leave to yourselves to make the only conclusion which in all similar cases must be made.

In closing this Report, Your Committee beg leave to remark that feeling with yourselves a mutual interest they cannot but most sincerely regret the causes by which an institution calculated to promote our interests and to benefit the public and the country generally and from its local situation it was so well calculated to promote has been perverted and rendered useless to the disadvantage of us all, to the great embarrassment of the public generally and to the no small detriment of that faith and confidence which bind us to each other in our intercourse and transactions, and which recommend us so strongly to the confidence of others.

(Signed) Robert Stanton,
N. Radiger,
H. C. Thompson,
A. McDonell.

By the foregoing examination it appears to the Committee that the said institution is illegal, and declared to be a nuisance by the Act of Parliament of Great Britain, passed in the fourteenth year of the Reign of George the Second, Chap. 37, and that therefore its notes and bills are void and only recoverable under the provisions of the said Act. That in consequence of the difficulty of recovering small sums under the said Act it becomes almost nugatory.

Your Committee would therefore recommend the enactment of a law by which relief may be afforded to the creditors of the said institution.

The immediate failure of the said Bank appears to Your Committee to have been evidently occasioned by the criminal conduct of its President, Cashier and Teller in various acts detailed in the said examination. The conduct of the Directors of the said institution is also reprehensible, in as much as no inquiry appears to have been made by them into the actual state of the Bank.

A large deficiency appears in the funds of the said institution, occasioned by an actual abstraction of money, of which abstraction the President, Cashier and Teller must be guilty. The Cashier, however, having the sole charge of the funds as a part of his duty whether guilty or not is liable for the amount.

Your Committee would therefore recommend to Your Honorable House to legalize the bonds referred to in the examination of Mr. Bartlet, and vest the whole of the estate and effects of the said institution in Commissioners in trust, first for the payment of all the debts of the said Bank and secondly, for the payment of stock to others (concerned therein) than the directors.

From the following statement of the present situation of the said institution Your Honorable House will see that in doing so ample justice will be done to the public.

The amount of stock actually paid in is £11,136 10s., of which £3,240 was paid by the Directors.

Notes unredeemed on the 6th Feb. ..... £	18,176	4	1
Deposit	900	0	0
	£19,076	4	1
Stock other than that of Directors	7,896	10	0
	£26,970	14	1
To pay which the following sums are applicable:			
Amount of debts due the Bank ascertained by Bonds and Notes	£22,227	16	11
Book Debts	1,000	0	0
Deficiency to be made up by Cashier	5,884	3	0½
	£29,111	19	11½
Amount to be paid	26,970	14	1
Leaves to be paid to Directors on account of their stock if the above sums are available	£2,141	5	10½

At the same time that Your Committee would recommend the necessity of affording public relief in the present case they would beg leave to impress upon Your Honorable House the propriety of guarding against the recurrence of a similar necessity by preventing the establishment of Banking Institutions without Acts of Incorporation by the Parliament of this Province.

For the purpose of effecting the objects herein recommended Your Committee beg leave to report a Bill which they submit for the adoption of Your Honorable House.

JONAS JONES, Chairman.

Committee Room, 27th February, 1823.

Mr. Jones of Grenville, seconded by Mr. Hagerman, moves that the Kingston Bank Commissioners' Bill be read a second time on Monday next. Which was ordered.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, on the subject of two Circuits was read the third time, passed and signed by the Speaker, and is as follows:

To His Excellency, Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada and Major General commanding His Majesty's Forces therein, etc.

May it please Your Excellency:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave humbly to represent to Your Excellency that from the great accession of population from immigration and other causes within this Province, and the consequent increase of crime and litigation therein it is necessary that Commissioners of Oyer and Terminer General Gaol Delivery and of Assize and Nisi Prius should issue to the several Districts thereof where the several Commissions are now by law directed to be issued as well in the vacation between Hilary and Easter Terms as in the vacation between Trinity and

Michaelmas Term. Wherefore we humbly pray that Your Excellency will be graciously pleased to direct that Commissions of Oyer and Terminer and General Gaol Delivery, and of Assize and Nisi Prius do issue to the several Districts of this Province where such Commissions are now by law directed to be issued, as well in the vacation between Hilary and Easter as in the vacation between Trinity and Michaelmas Terms.

Commons House of Assembly, Levius P. Sherwood, Speaker.
21st February, 1823.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that Messrs. Morris and Shaver be a Committee to wait upon His Excellency, the Lieutenant Governor, to know when he will be pleased to receive the Address of the House, and to present the same. Which was ordered.

Agreeably to the order of the day, the Marriage Confirmation Bill was read the second time.

Mr. Casey, seconded by Mr. Shaver, moves that this House do now resolve itself into a Committee of the Whole on the Marriage Confirmation Bill. Which was carried, and Mr. Peterson took the Chair of the Committee.

The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Auctioneers' Bill, the Hawkers and Pedlars' Bill, which they had passed without amendment; also the Bill intituled "An Act to amend and repeal part of an Act intituled An Act to Incorporate sundry persons under the style and title of The President, Directors and Company of the Bank of Upper Canada," to which he was directed to request the concurrence of this House.

The Bill intituled "An Act to amend and repeal part of an Act, intituled An Act to incorporate sundry persons under the style and title of The President, Directors and Company of the Bank of Upper Canada," was read the first time.

Mr. Nichol, seconded by Mr. Gordon, moves that the Upper Canada Bank Amendment Bill be read a second time on Monday. Which was ordered.

Mr. Ruttan, from the Committee to carry up to the Honorable the Legislative Council the Weights and Measures Bill, and to request their concurrence, reported that they had done so.

The House went again into Committee on the Marriage Confirmation Bill, Mr. Peterson in the Chair.

The House resumed. Mr. Peterson reported the Bill as amended.

On the question for receiving the Report the House divided, and the yeas and nays were taken as follows:

Yeas: Messrs. Hagerman, Gordon, McLean (Stormont), Willson (Wentworth), Nichol, Willson (Prince Edward), Hamilton (Wentworth), Pattie, Horner, White, Crooks, Chisholm, Gates, Hamilton (Lincoln), Morris, Jones (Grenville), Shaver, Casey, Burwell, Bostwick.

Nays: Messrs. Randal, Peterson, Wilmot, Ruttan, Clark, VanKoughnet.

The question was carried in the affirmative by a majority of fourteen, and the Report received accordingly.

Mr. Casey, seconded by Mr. Jones of Grenville, moves that the Marriage Confirmation Bill be engrossed, and read a third time on Monday. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Collectors' Bill, Mr. Crooks in the Chair.

The House resumed. Mr. Crooks reported progress, and asked leave to sit again on Monday next. Ordered that the Report be received, and leave was granted accordingly.

Mr. Willson of Wentworth, from the Committee to whom was referred the Liquor Selling Restraint Bill, reported that the Committee had agreed to a Bill, which was received and read the first time.

Mr. Willson of Wentworth, seconded by Mr. Wilmot, moves that the Bill Limiting the sale of Spirituous Liquors to Indians be read a second time on Monday next. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Law Report Bill, Mr. Gordon in the Chair.

The House resumed. Mr. Gordon reported the Bill as amended. Ordered that the Report be received.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Law Report Bill be engrossed, and read a third time on Monday next. Which was ordered.

Mr. Jones of Leeds, from the Committee to whom were referred the Petitions of George Delong, George Bates and Hiram Spafford, reported a Bill, which was received and read the first time.

Mr. Jones of Leeds, seconded by Mr. Hamilton of Lincoln, moves that the Bill for the relief of George Delong, George Bates and Hiram Spafford, be read a second time on Monday next. Which was ordered.

Mr. Gordon, from the Committee to whom was referred the Petition of Robert Innes and others, reported a Bill, which was received and read the first time.

Mr. Gordon, seconded by Mr. Hagerman, moves that the Bill for prohibiting the exportation of rawhides from this Province be read a second time on Monday next. Which was ordered.

Mr. Ruttan gives notice that he will move on Tuesday next for leave to bring in a Boundary Bill.

The House then adjourned till ten a.m. on Monday.

Monday, 24th February, 1823.

The House met. Prayers were read. The Minutes of Friday were read.

Mr. Randal, seconded by Mr. Clark, moves for leave to bring up the Petition of John Hardy of the Township of Stamford in the District of Niagara. Which was granted and the Petition brought up.

Agreeably to the order of the day the House was called. Absent: Messrs. McDonell, Pattie, Willson (Prince Edward), Rogers, Hamilton (Wentworth), Walsh, Baby and Chisholm.

Agreeably to the order of the day the Crooks Relief Bill was read the third time.

Mr. Gordon, seconded by Mr. Nichol, moves that the Bill do now pass, and that it be intituled "An Act for the relief of Matthew Crooks." Which was carried and the Bill signed.

Agreeably to the order of the day, the Bathurst Appropriation Bill was read the third time.

Mr. Morris, seconded by Mr. Jones of Grenville, moves that the Bill do now pass and that it be intituled "An Act granting to His Majesty a sum of money for the purposes therein mentioned." Which was carried and the Bill signed.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that Messrs. Morris and Gates be a Committee to carry up to the Honorable the Legislative Council

the Bathurst Appropriation Bill and the Crooks Relief Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Marriage Confirmation Bill was read the third time.

Mr. Casey, seconded by Mr. Jones of Grenville, moves that the Bill do now pass, and that it be intituled "An Act to confirm certain Marriages heretofore contracted within this Province." Which was carried and the Bill signed.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that Messrs. Casey and Ruttan be a Committee to carry up to the Honorable the Legislative Council the Marriage Confirmation Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Law Report Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that the Bill do now pass, and that it be intituled "An Act providing for the publication of Reports of the Decisions of His Majesty's Courts of King's Bench in this Province." Which was carried and the Bill signed.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that Messrs. McLean of Stormont and Baldwin be a Committee to carry up to the Honorable the Legislative Council the Law Report Bill, and to request their concurrence thereto. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. VanKoughnet, moves that he have leave of absence for the remainder of the Session after Monday next. Which was granted.

Agreeably to the order of the day, the Insolvent Debtors' Bill was read the second time.

Dr. Baldwin, seconded by Mr. Wilmot, moves that the Bill for the relief of Insolvent Debtors be now referred to a Committee of the Whole. Which was carried, and Mr. VanKoughnet took the Chair of the Committee.

The House resumed. Mr. VanKoughnet reported progress, and asked leave to sit again on Wednesday next. Ordered that the Report be received and leave was granted accordingly.

Agreeably to notice, Mr. Willson of Prince Edward, moves for leave to bring in a Bill for the better division of the County of Prince Edward into Townships. Which was granted and the Bill read.

Mr. Rogers, seconded by Mr. Willson of Prince Edward, moves that the Bill for the better division of the County of Prince Edward into Townships be read a second time to-morrow. Which was ordered.

Agreeably to notice, Dr. Baldwin, seconded by Mr. Wilmot, moves for leave to bring in a Bill to alter the time of holding the General Quarter Sessions of the Peace in the Home District. Which was granted and the Bill read.

Dr. Baldwin, seconded by Mr. Wilmot, moves that the Bill for altering the time of holding the General Quarter Sessions of the Peace in the Home District be read a second time to-morrow. Which was ordered.

Agreeably to notice, Mr. Jones of Leeds, seconded by Mr. Gates, moves that the Resolutions passed on Wednesday last on the subject of the Union be expunged from the Journals of the House. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Gates, Randal, Kerr.

Nays: Messrs. Clark, Willson (Wentworth), Casey, Hamilton (Wentworth), Wilmot, Baldwin, White, Baby, Walsh, Horner, Peterson, Ruttan, Jones (Grenville), Chisholm, Rogers, Gordon, Hagerman, Bostwick.

The question was carried in the negative by a majority of fourteen, and lost accordingly.

Agreeably to notice, Mr. McLean of Stormont, seconded by Mr. Gates, moves that this House do now resolve itself into a Committee of the Whole on the Heir and Devisee Bill. Which was carried, and Mr. Chisholm took the Chair of the Committee.

The House resumed. Mr. Chisholm reported the Bill as amended. Ordered that the Report be received.

Mr. McLean of Stormont, seconded by Mr. Jones of Grenville, moves that the Heir and Devisee Bill be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Cramahe Bill, Mr. Crooks in the Chair.

The House resumed. Mr. Crooks reported the Bill as amended. Ordered that the Report be received.

Mr. Ruttan, seconded by Mr. Gates, moves that the Cramahe Boundary Bill be engrossed, and read a third time to-morrow. Which was ordered.

Mr. Morris, from the Committee to wait upon His Excellency the Lieutenant Governor with three several Addresses of the House, respecting Treasurers' Accounts, Duties collected at the Port of Quebec and the expediency of two circuits annually, reported the delivery of the same, and that His Excellency was pleased to make thereto the following replies:

Gentlemen of the House of Assembly: I have caused the Accounts of the Treasurers of the several Districts, as far as they have been received, to be regularly laid before the Legislative Council and House of Assembly as directed by the Statute.

The Treasurers are required by law to forward their Accounts to the head of the Government, but from the tenure of their Office the means of enforcing obedience does not rest with the Executive.

I shall endeavor to ascertain what part of the Accounts referred to in the Address has not been already before your House in order that the deficiency may be supplied at an early day in the next Session.

24th February, 1823.

Gentlemen of the House of Assembly: I shall have great satisfaction in issuing Commissions of Assize and Gaol Delivery between Hilary and Easter Terms for such Districts as have a suitable land communication from the seat of Government as soon as provision is made to defray the expenses of the Judges and other Officers on the additional Circuit in the same manner that they are provided for in that which is now established.

22nd February, 1823.

Agreeably to the order of the day, the House went into Committee on the Report of the Select Committee to whom was referred the Petition of William Smart and others. Mr. Willson of Wentworth, in the Chair.

The House resumed. Mr. Willson reported that the Committee had agreed to the Resolutions which he was directed to submit for the adoption of the House.

The first Resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson (Wentworth), Jones (Leeds), Gordon, Clark, Chisholm, Randal, Hamilton (Lincoln), Wilmot, Peterson, Ruttan, Rogers, Crooks, Morris, Shaver, Burwell, Hagerman, Kerr, Bostwick, VanKoughnet.

Nays: Messrs. Hamilton (Wentworth), Baldwin, Horner, Baby, White, Walsh, Jones (Grenville), Gates, McLean (Stormont).

The question was carried in the affirmative by a majority of ten, and it was Resolved, That it is the opinion of this House that the Inhabitants of the Johnstown District ought to provide means for erecting a bridge across a Creek mentioned in the Petition of the Rev. William Smart and others in the Township of Yonge in the said District, from their own resources.

The second Resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson (Wentworth), Jones (Leeds), Gordon, Clark, Chisholm, Wilmot, Ruttan, Rogers, Morris, Hagerman, Shaver, Burwell, Bostwick, Kerr.

Nays: Messrs. Randal, Hamilton (Wentworth), Baldwin, Horner, Baby, White, Peterson, Jones (Grenville), Hamilton (Lincoln), VanKoughnet.

The question was decided in the affirmative by a majority of four, and it was Resolved, That the Chairman be directed to move the House for leave to bring in a Bill authorizing the Magistrates of the Johnstown District to levy an additional assessment upon the inhabitants thereof to enable them to cause the bridge to be erected.

Mr. Willson of Wentworth, seconded by Mr. Jones of Leeds, moves for leave to bring in a Bill on Wednesday next, to authorize the Magistrates of the District of Johnstown to levy an additional assessment upon the inhabitants thereof, to enable them to cause a bridge to be erected over Yonge Creek. Which was granted.

Agreeably to notice, Mr. Kerr, seconded by Mr. Hamilton of Lincoln, moves for leave to bring in a Bill to continue an Act regulating the Police of the Town of Niagara. Which was granted and the Bill read.

Mr. Kerr, seconded by Mr. VanKoughnet, moves that the Niagara Police Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Kingston Bank Commissioners' Bill was read the second time.

Mr. Jones of Grenville, seconded by Mr. Hagerman, moves that the Kingston Bank Commissioners' Bill be referred to a Committee of the Whole to-morrow. Which was ordered.

Agreeably to the order of the day the Bank Bill was read the second time.

Mr. McLean of Stormont, from the Committee to carry up to the Honorable the Legislative Council the Law Reports Bill, and to request their concurrence thereto, reported they had done so.

Mr. Morris, from the Committee to carry up to the Honorable the Legislative Council the Crooks Relief Bill and the Marriage Confirmation Bill, and to request their concurrence thereto, reported they had done so.

Mr. Nichol, seconded by Mr. Gordon, moves that the House do now resolve itself into a Committee of the Whole to take the Upper Canada Bank Bill into consideration. Which was carried, and Mr. Clark was called to the Chair. The House resumed. Mr. Clark reported progress, and asked for leave to sit again to-morrow. Ordered, that the Report be received, and leave was granted accordingly.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor a Message, and, having withdrawn, the Speaker read the same as follows:

P. MAITLAND:

The Lieutenant Governor thinks proper to transmit copies of a communication from the Commissioner in England, by which his detention at the Seat of Government will be made known to the House of Assembly.

The Lieutenant Governor, while congratulating this House upon that event as likely to have an influence highly favorable to the interests of this Colony in the important arrangements now depending in the Councils of the Parent State, feels confident that the House of Assembly will not fail to place at his disposal means towards defraying the expenses of a service which must thus be protracted far beyond the period originally contemplated.

Govt. House, 24th Feby., 1823.

(Copy) LONDON, 76 Gower Street,
Bedford Square, Decr. 28, 1822.

SIR,—I have the honor to acknowledge the receipt of your letter of the 21st October, 1822, in which you conveyed to me the wish of His Excellency, the Lieutenant Governor, that as the objects of my mission to England had been accomplished it might be convenient to me to return to my duties in that Province by the middle of January, or as soon after as circumstances would admit, and I beg to state to you for the information of His Excellency, the Lieutenant Governor, that being at that time in constant communication with the Colonial Office on several matters involving the interests of Upper Canada, and being more particularly engaged in assisting in the details of a plan for promoting emigration to Upper Canada by the aid of the Government upon a system which is at present under consideration, and which, if it shall be ultimately adopted, cannot fail to be of the greatest advantage to the Province. I lost no time in acquainting Earl Bathurst with the necessity of my immediate departure from England by transmitting to him your letter of the 21st Octr., with a note from myself, of which I enclose you a copy. His Lordship was absent from London at the time, but the Under Secretary of State requested me to remain until I should hear from His Lordship, and yesterday I received a letter from Mr. Wilmot, of which I transmit you a copy.

His Excellency will perceive by this letter that my stay in this country is necessarily protracted beyond the period to which it would otherwise have been limited upon the receipt of the instruction conveyed in your letter of the 21st October, for which I have been waiting with anxiety, doubtful whether under existing circumstances it would be most proper for me to remain longer in this country or to return to Upper Canada.

I have the honor to be, &c.,

(Signed) JNO. B. ROBINSON.

MAJOR HILLIER,
Secy. to His Excellency the Lieutenant Governor, &c.

(Certified) G. HILLIER.

(Copy) DOWNING STREET, 27th Decr., 1822.

SIR,—I am directed by Lord Bathurst to inform you that he has received your letter of the 16th instant enclosing one which was addressed to you by Major Hillier by the direction of Sir Peregrine Maitland, and expressing his hopes that you might be enabled to return to your duties in Upper Canada by the middle of January or as soon afterwards as circumstances would permit, and His Lordship has desired me to inform you that he wishes you to remain in England until after the meeting of Parliament in the month of February; at the

same time His Lordship hopes that your detention here will not create any inconvenience to Sir Peregrine Maitland, especially as your presence and assistance in this country may be materially useful to the interests of Upper Canada.

I have the honor, &c.

(Signed) R. WILMOT.

A true Copy.
G. HILLIER.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor, thanking him for his gracious Message of this day, and assuring him that this House will not fail to give the same their most attentive consideration. Which was ordered.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that Messrs. Nichol and Willson, of Wentworth, be a Committee to draft an Address pursuant to the foregoing Resolution. Which was ordered.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the House do on to-morrow resolve itself into a Committee of the Whole to take into consideration the Message of His Excellency the Lieutenant Governor of this day. Which was ordered.

Agreeably to the order of the day, the House went into Committee of the Whole on the Collectors' Bill, Mr. Crooks in the Chair.

The House resumed. Mr. Crooks reported progress, and asked leave to sit again to-morrow. Ordered, that the Report be received, and leave was granted accordingly.

Agreeably to the order of the day, the Indian Protection Bill was read the second time.

Mr. Wilmot, seconded by Mr. Willson of ————, moves that the Liquor Restraint Bill be referred to a Committee of the Whole this day. Which was carried, and Mr. Morris took the Chair of the Committee.

The House resumed. Mr. Morris reported the Bill as amended. Ordered, that the Report be received.

Mr. Wilmot, seconded by Mr. Willson of ————, moves that the Indian Protection Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. McLean of Stormont, seconded by Mr. Jones of Leeds, moves that that part of the order of the day which relates to the Commissioner from this Province on the subject of our financial and commercial relations with Lower Canada be referred to the Committee of the Whole on His Excellency, the Lieutenant Governor's Message of this day. Which was ordered.

Agreeably to the order of the day, the Hide Embargo Bill was read the second time.

Mr. Gordon, seconded by Mr. Jones of Leeds, moves that the House do now resolve itself into a Committee of the Whole on the said Bill.

In amendment Mr. Crooks, seconded by Mr. Hamilton of Lincoln, moves that the word "now" be expunged, and the word "to-morrow" inserted. Which was carried.

The original question as amended was then put and carried.

Dr. Baldwin gives notice that he will, on to-morrow, move for leave to bring in a Bill for the establishment of a College in this Province.

Mr. Jones of Leeds, gives notice that he will, on to-morrow, move for leave to bring in a Bill to amend and extend the provisions of an Act passed in the

second year of His Majesty's Reign for the preservation of the Fisheries in certain parts of this Province.

Mr. VanKoughnet gives notice that he will, on to-morrow, move for leave to bring in a Bill to repeal part of and amend an Act passed in the thirty-third year of His late Majesty's Reign, intituled "An Act to authorize the laying and collecting of Assessments and Rates in every District within the Province, and to provide for the payment of Wages to the Members of the House of Assembly."

Mr. Crooks, seconded by Mr. Chisholm, moves that the amendments made by the Honorable the Legislative Council in and to the Bill intituled "An Act to permit the importation of Machinery into this Province free from duty for a limited time" be taken into consideration to-morrow. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 25th February, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Peterson, seconded by Mr. Burwell, moves that he may have leave of absence for the remainder of the Session after Thursday next. Which was granted.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves for leave to bring up the Petition of Mr. C. C. Smith, Deputy Clerk of the Crown and Pleas. Which was granted, and the Petition was brought up.

Mr. Jones of Leeds, seconded by Mr. Gordon, moves that he have leave to bring up the Petition of B. Whitney of Kingston. Which was granted, and the Petition was brought up.

Agreeably to the order of the day, the House was called.

Absent: Messrs. McDonell, Rogers, Kerr, Horner, Bostwick and Baby.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves that it be resolved that it is the undoubted right of this House to issue Writs for electing Members to serve therein in places where vacancies may arise in any other manner than by the decease of a Member, or upon the summoning of any Member to the Legislative Council. Which was carried.

Agreeably to the order of the day, the Heir and Devisee Bill was read the third time.

Mr. McLean of Stormont, seconded by Mr. Morris, moves that the Bill do now pass, and that it be intituled "An Act to afford relief to persons claiming lands in this Province under assignments from Heirs, Devisees or Assignees of the original Nominees of the Crown in cases where no patents hath issued, and for other purposes therein mentioned." Which was carried, and the Bill was signed.

Mr. Morris, seconded by Mr. Shaver, moves that Messrs. McLean and Crooks be a Committee to carry up to the Honorable the Legislative Council the Heir and Devisee Bill, and to request their concurrence thereto. Which was ordered.

According to the order of the day, the Cramahe Boundary Bill was read the third time.

Mr. Ruttan, seconded by Mr. Gates, moves that the Bill do now pass, and that it be intituled "An Act to repeal part of an Act passed in the fifty-ninth year of the Reign of His late Majesty, intituled 'An Act to repeal an Ordinance of the Province of Quebec' passed in the twenty-fifty year of His Majesty's Reign intituled 'An Ordinance concerning Land Surveyors and the admeasurement of lands,'" and also to extend the Provisions of an Act passed in the thirty-eighth year of His Majesty's Reign intituled "An Act to ascertain and establish on a

permanent footing the Boundary Lines of the different Townships of this Province, and further to regulate the manner in which lands are hereafter to be surveyed, in so far as it affects the Township of Cramahe, and to make other provisions for ascertaining the side lines of lots within the said Township."

In amendment Mr. McLean of Stormont, seconded by Mr. Jones of Leeds, moves that in the original motion after the word "that" the whole be expunged and the following words inserted, "The Cramahe Bill be re-committed to a Committee of the Whole House on to-morrow." Which was carried.

The original question as amended was then put and carried.

Agreeably to the order of the day, the Indian Protection Bill was read the third time.

Mr. Wilmot, seconded by Mr. Peterson, moves that the following limitation clause be added as a Rider: And be it further enacted by the authority aforesaid that this Act shall continue and remain in force for four years, and from thence to the end of the then next ensuing Session of Parliament. Which was carried.

Agreeably to the order of the day, the Petition from Daniel Harris of the Township of Toronto, pot ash Boiler, praying that a Patent may be granted him for a machine invented by him for expediting the business of pot ash boiling, or such other pecuniary reward as his discovery may entitle him to; the Petition from the inhabitants of Chingacousy and Toronto, praying that Street's Mill Dam may not be pulled down; the Petition from Peter McCallum and others, praying for a loan of One Hundred and Fifty Pounds to enable the said Peter McCallum to erect Salt Works in the Township of Esquesing, and the petition of A. Rapelge, Esquire, Sheriff of the London District, praying that relief may be afforded him, were read.

Mr. Willson of Wentworth, seconded by Mr. Peterson, moves that the Petition of Daniel Harris of Toronto be referred to a Select Committee, and that Messrs. Crooks, Jones of Grenville, and Gates do form the said Committee. Which was carried.

Mr. Willson of Wentworth, seconded by Mr. Clark, moves that the Petition of Peter McCallum and others be referred to a Committee of the Whole House to-morrow.

In amendment Mr. Jones of Grenville, seconded by Mr. Hagerman, moves that after the word "referred" in the original motion the whole be expunged and the following inserted, "to a Select Committee." Which was lost.

The original question was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Clark, Randal, Willson (Wentworth), Peterson, Hamilton (Wentworth), Wilmot, Baldwin, Willson (Prince Edward), Horner, Baby, Ruttan, Hamilton (Lincoln), Rogers, Chisholm, Bostwick.

Nays: Messrs. Jones (Leeds), McLean (Stormont), White, Pattie, Walsh, Casey, Crooks, Burwell, Hagerman, Morris, Kerr, VanKoughnet Jones (Grenville).

The question was carried in the affirmative by a majority of two, and ordered accordingly.

Dr. Baldwin, seconded by Mr. Willson of ————, moves that the Petition of the inhabitants of Chingacousy and Toronto be referred to a Select Committee, and that Messrs. Hagerman, Crooks and Wilmot do form the said Committee. Which was carried.

Mr. Jones, seconded by Mr. Gordon, moves that the Sixth Rule of this House be dispensed with in so far as it relates to the Petition of B. Whitney, and that

the said Petition be now read. Which was ordered, and the Petition of Benjamin Whitney, praying to be heard at the Bar, was then read.

Mr. Jones of Leeds, seconded by Mr. Gordon, moves that B. Whitney, late President of the Bank of Upper Canada established at Kingston, be heard at the Bar of this House in opposition to certain parts of a Bill now pending before this House on the subject of the said Bank, he being personally interested. Which was ordered.

Mr. Burwell, seconded by Mr. Crooks, moves that the Petition of Abraham A. Rapelge, Sheriff of the District of London, be referred to a Select Committee, and that Messrs. Hagerman and Walsh do compose the said Committee. Which was ordered.

The Indian Protection Bill was read a third time.

Mr. Wilmot, seconded by Mr. Randal, moves that the Bill do now pass, and that it be intituled "An Act to limit the sale of Spirituous Liquors to Indians within the organized Counties and Townships in this Province." Which was carried, and the Bill signed.

Mr. Morris, seconded by Mr. Hamilton of Lincoln, moves that Messrs. Wilmot and Willson, of Wentworth, be a Committee to carry up to the Honorable the Legislative Council the Indian Protection Bill, and to request their concurrence thereto. Which was ordered.

Mr. Hagerman, seconded by Mr. Burwell, moves that the fifth Rule of this House be dispensed with in so far as to enable him to bring in a Bill to restrain the selling of Beer, Ale and other Liquors not Spirituous Liquors, within certain Towns within this Province, and that the same be read a first time this day. Which was carried, and the Bill read.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Alehouse Bill be read a second time this day, and that the fifth Rule of this House be dispensed with in so far as regards the same. Which was carried, and the Bill was read the second time.

Mr. Hagerman, seconded by Mr. Burwell, moves that the House do now resolve itself into a Committee of the Whole on the Alehouse Bill. Which was carried, and Mr. Randal took the Chair of the Committee.

The House resumed. Mr. Randal reported the Bill without amendment. Ordered, that the Report be received.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Alehouse Bill be read a third time to-morrow. Which was ordered.

Mr. Chisholm, from the Committee to whom was referred the Petition of the inhabitants of East Flamborough and Nelson, reported a Bill, which was received and read the first time.

Mr. Chisholm, seconded by Mr. Crooks, moves that the Herring Preservation Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Ameliasburgh Division Bill was read the second time.

Mr. Peterson, seconded by Mr. Willson of Prince Edward, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the Ameliasburgh Division Bill. Which was ordered, and Mr. Hamilton of Lincoln took the Chair of the Committee.

The House resumed. Mr. Hamilton reported the Bill as amended. Ordered, that the Report be received.

Mr. Peterson, seconded by Mr. Willson of Prince Edward, moves that the Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the DeLong Relief Bill was read the second time.

Mr. Jones of Leeds, seconded by Mr. Gordon, moves that the Bill for the Relief of DeLong, *et al,* be referred to a Committee of the Whole House. Which was ordered.

Mr. Nichol, seconded by Mr. Gordon, moves that it be an instruction to the said Committee to include the names of Alexander Gardner of Niagara, Mason, and Thomas Dowsley of Kitley, Yeoman, in the said Bill. Which was ordered.

Mr. Jones of Leeds, seconded by Mr. Gordon, moves that this House do now resolve itself into a Committee of the Whole on the DeLong, *et al,* Relief Bill. Which was carried, and Mr. Walsh took the Chair of the Committee.

The House resumed to receive a Message from His Excellency, the Lieutenant Governor.

Mr. Secretary Hillier brought down from His Excellency, the Lieutenant Governor, a Message, and, having retired, the Speaker read the same as follows:

P. MAITLAND:

The Lieutenant Governor thinks proper to express his regret that he must be deprived of the satisfaction of laying before the House of Assembly any information respecting the proceedings of the Board for arbitrating in the respective claims of the Sister Province during the present session, the adjournment of the Board and separation of the Members having been notified to the Lieutenant Governor by the Arbitrator for this Province.

Govt. House, Feb'y, 1823.

The House went again into Committee on the DeLong Relief Bill.

The House resumed. Mr. Walsh reported the Bill amended. Ordered, that the Report be received.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves that the Bill for the relief of George DeLong, *et al,* be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Home District Quarter Sessions Bill was read the second time.

Dr. Baldwin, seconded by Mr. Horner, moves that the Bill for altering the time for holding the General Quarter Sessions of the Peace in the Home District be now referred to a Committee of the Whole. Which was carried, and Mr. Horner took the Chair of the Committee.

The House resumed. Mr. Horner reported the Bill without amendment. Ordered, that the Report be received.

Dr. Baldwin, seconded by Mr. Horner, moves that the Bill for altering the time for holding the General Quarter Sessions of the Peace for the Home District be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Niagara Police Bill was read the second time.

Mr. Kerr, seconded by Mr. VanKoughnet, moves that the House do now resolve itself into a Committee of the Whole on the Niagara Police Bill. Which was carried, and Mr. Bostwick took the Chair of the Committee.

The House resumed. Mr. Bostwick reported the Bill without amendment. Ordered, that the Report be received.

Mr. Kerr, seconded by Mr. VanKoughnet, moves that the Niagara Police Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. Hagerman, seconded by Mr. Burwell, moves that it be resolved that an Humble Address be presented to His Excellency, the Lieutenant Governor, thanking him for his gracious Message informing the House that he must be deprived of the satisfaction of laying before the House of Assembly any information respecting the proceedings of the Board for arbitrating on the respective claims of the Sister Province during the present Session in consequence of the adjournment of the Board and separation of its members as notified to His Excellency by the Arbitrator from this Province. Which was ordered.

Mr. Hagerman, seconded by Mr. Burwell, moves that Messrs. Jones, of Grenville, and Morris be a Committee to draft an Address pursuant to the foregoing Resolution. Which was ordered.

Mr. Wilmot, from the Committee to carry up to the Honorable the Legislative Council the Indian Protection Bill, and to request their concurrence therein, reported they had done so.

Agreeably to the order of the day, the House went into Committee of the Whole on the Kingston Bank Commissioners Bill. Mr. Gordon in the Chair.

The House resumed. Mr. Gordon reported progress, and asked for leave to sit again to-morrow. Ordered, that the Report be received, and leave was granted accordingly.

Mr. Jones of Grenville, from the Committee to draft an Address to His Excellency, the Lieutenant Governor, thanking him for his gracious Message of this day, reported a draft, which was received and read the first time.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Address to His Excellency, the Lieutenant Governor, be read a second time this day, and that the fifth Rule of this House be dispensed with in so far as relates to the same. Which was carried, and the draft was read the second time.

Mr. Hagerman, seconded by Mr. Burwell, moves that this House do now concur in the Address, and that the same be engrossed and read a third time to-morrow. Which was ordered.

Mr. Nichol, from the Committee to whom was referred the Petition of John P. Clement, Esq., reported a Bill, which was received and read the first time.

Mr. Nichol, seconded by Mr. Gordon, moves that the Bill for the Relief of John P. Clement and Jacob Smith be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Upper Canada Bank Bill, Mr. Clark in the Chair of the Committee.

The House resumed. Mr. Clark reported the Bill without amendment. Ordered, that the Report be received.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the Upper Canada Bank Bill be read a third time on to-morrow. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Hagerman, moves that the Collectors' Bill stand first on the order of the day for to-morrow after the third reading of Bills and addresses. Which was ordered.

Agreeably to notice, Mr. Jones of Leeds, seconded by Mr. Gordon, moves for leave to bring in a Bill to amend and extend the provisions of an Act passed in the second year of His Majesty's Reign intituled "An Act for the preservation of the Fisheries in certain places." Which was granted, and the Bill read.

Mr. Jones of Leeds, seconded by Mr. Kerr, moves that the Salmon Preservation Bill be read a second time on Thursday next. Which was ordered.

Agreeably to notice, Mr. VanKoughnet, seconded by Mr. Shaver, moves for leave to bring in a Bill to repeal part of and amend an Act passed in the thirty-

third year of His late Majesty's Reign intituled "An Act to authorize the Laying and Collecting of Assessments and Rates in every District within this Province, and to provide for the payment of Wages to the Members of the House of Assembly. Which was lost.

Mr. Hagerman, from the Committee on Distillery Laws, reported the Still Duty Bill, which was received and read the first time.

Mr. Willson of Wentworth, seconded by Mr. Hagerman, moves that the Still Duty Bill be read a second time to-morrow. Which was carried.

Mr. Morris gives notice that he will, on to-morrow, move for leave to bring in a Bill to make good certain moneys issued and advanced by His Excellency, the Lieutenant Governor, in pursuance of an Address of the House at its last Session.

The House then adjourned till twelve o'clock to-morrow.

Wednesday, 26th February, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Clark, seconded by Mr. Pattie, moves for leave to bring up the Petition of Samuel Street, Esq. Which was granted, and the Petition brought up.

Agreeably to the order of the day, the House was called.

Absent: Messrs. McDonell, McLean, Ruttan, Wilmot, Horner, Baby, Chisholm.

Agreeably to the order of the day, the Ameliasburgh Division Bill was read the third time.

Mr. Peterson, seconded by Mr. Willson of Prince Edward, moves that the Bill do now pass, and that it be intituled "An Act for the division of the Township of Ameliasburgh in the County of Prince Edward." Which was carried, and the Bill signed.

Mr. Peterson, seconded by Mr. Wilmot, moves that Messrs. Willson, of Prince Edward, and Rogers be a Committee to carry up to the Honorable the Legislative Council the Ameliasburgh Division Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the DeLong Relief Bill was read the third time.

Mr. Jones of Leeds, seconded by Mr. Jones of Grenville, moves that the Bill do now pass, and that it be intituled "An Act for the Relief of George DeLong, George Bates, Hiram Spafford, Alexander Gardner, Thomas Dowsley and James Smith." Which was carried, and the Bill signed.

Agreeably to the order of the day, the Alehouse Bill was read the third time.

Mr. Hagerman, seconded by Mr. Gordon, moves that the Alehouse Bill do now pass, and that it be intituled "An Act to restrain the selling of Beer, Ale, Cider and other Liquors not Spirituous in certain Towns and Villages in this Province, and to regulate the manner of licensing Alehouses within the same.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Pattie, White, Kerr, Casey, Gates, Chisholm, Crooks, Burwell, Hagerman, Gordon, Hamilton (Lincoln), Morris, Shaver, Bostwick, Jones (Grenville).

Nays: Messrs. Horner, Clark, Randal, Willson (Wentworth), Peterson, Hamilton (Wentworth), Baldwin, Willson (Prince Edward), VanKoughnet, Walsh.

The question was carried in the affirmative by a majority of six, and the Bill signed.

Mr. Morris, seconded by Mr. Hamilton of Lincoln, moves that Messrs. Hagerman and Gates be a Committee to carry up to the Honorable the Legislative Council the Alehouse Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Home District Session Bill was read the third time.

Dr. Baldwin, seconded by Mr. Horner, moves that the Bill do now pass, and that it be intituled "An Act to repeal part of an Act passed in the first year of His Majesty's Reign, intituled 'An Act for altering the time of holding the General Quarter Sessions of the Peace in the Home District,' and further to fix the time of holding the said Quarter Sessions." Which was carried, and the Bill signed.

Mr. Ruttan, seconded by Mr. Kerr, moves that Messrs. Baldwin and Horner be a Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to repeal part of an Act passed in the second year of His Majesty's Reign intituled 'An Act to alter the time for holding the General Quarter Sessions of the Peace in the Home District,' and further to fix the time of holding the said Quarter Sessions," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Niagara Police Bill was read the third time.

Mr. Kerr, seconded by Mr. VanKoughnet, moves that the Bill do now pass, and that it be intituled "An Act to continue part of an Act passed in the fifty-ninth year of His late Majesty's Reign intituled 'An Act for establishing a Police in the Town of Niagara.'" Which was carried, and the Bill signed.

Mr. Kerr, seconded by Mr. VanKoughnet, moves that Messrs. Hamilton of ————, and Randal be a Committee to carry up to the Honorable the Legislative Council the Niagara Police Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Address to His Excellency, the Lieutenant Governor, relative to the detention of the Commissioner in England was read the third time, passed, and signed by the Speaker as follows:

To His Excellency, Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath; Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We, His Majesty's dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament Assembled, beg leave to thank Your Excellency for your most gracious message transmitting copies of communications from the Commissioner in England by which his detention at the seat of Government is made known, and expressing Your Excellency's confidence that means will be placed at Your Excellency's disposal towards defraying the expenses of a service which must thus be protracted far beyond the period originally contemplated; and we assure Your Excellency that this House will not fail to take the same into their most attentive consideration.

Commons House of Assembly,
26th Feb'b, 1823.

LEVIUS P. SHERWOOD, Speaker.

Agreeably to the order of the day, the Address of His Excellency, the Lieutenant Governor, in answer to His Excellency's Message respecting the Arbitrators of the two Provinces was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency, Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We, His Majesty's dutiful and Loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to thank Your Excellency for your gracious message intimating that you must be deprived of the satisfaction of laying before the House of any information respecting the proceedings of the Board for arbitrating on the respective claims of the Sister Province during the present Session of Parliament in consequence of the adjournment of the Board and separation of the Members as notified to Your Excellency by the Arbitrator of this Province.

Commons House of Assembly, LEVIUS P. SHERWOOD, Speaker.
26th Feb'y, 1823.

Agreeably to the order of the day, the Bill intituled "An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Bank of Upper Canada," was read the third time, passed, and signed by the Speaker.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that Messrs. Crooks and Hamilton, of Lincoln, be a Committee to acquaint the Honorable the Legislative Council that this House have passed the Bill intituled "An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Bank of Upper Canada," sent down from that Honorable House, without amendment. Which was ordered.

Mr. Ruttan, seconded by Mr. Kerr, moves that Messrs. Hagerman and Crooks be ordered to carry up the several Addresses of this House on the subject of the Commissioner and Arbitrators to His Excellency, the Lieutenant Governor, to know when he will be pleased to receive them, and to present the same. Which was ordered.

Mr. Rogers, seconded by Mr. Willson of Prince Edward, moves for leave to withdraw the petition of the inhabitants of Ameliasburgh in order to allow him to have the same presented to the Honorable the Legislative Council. Which was granted.

Mr. Jones of Grenville, seconded by Mr. Boswell, moves that Messrs. Jones of Leeds, and Kerr be a Committee to carry up to the Honorable the Legislative Council the DeLong Relief Bill, and request their concurrence therein. Which was ordered.

Agreeably to the order of the day, the Petition of John Hardney of Stamford, praying to be restored to the U. E. list, was read.

Mr. Randal, seconded by Mr. Clark, moves that the Petition of John Hardney be referred to a Committee of the Whole House to-morrow.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Gordon, Pattie, Randal, Willson (Wentworth), Clark, Hamilton (Wentworth), Chisholm, Willson (Prince Edward), Baldwin,

Baby, Horner, Kerr, Ruttan, Casey, Crooks, Gates, Hamilton (Lincoln), Morris, Shaver, Walsh, Bostwick.

Nays: Messrs. White, Rogers, Burwell, Jones (Grenville), VanKoughnet, McLean (Stormont).

The question was carried in the affirmative by a majority of sixteen, and ordered accordingly.

Agreeably to the order of the day, the House went into Committee on the Collector's Bill, Mr. Crooks in the Chair.

The House resumed. Mr. Crooks reported progress, and asked leave to sit again to-morrow. Ordered, that the Report be received, and leave was granted accordingly.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Militia Bill and the Act granting to His Majesty a sum of money for the purposes therein mentioned which they had passed without amendment, and having withdrawn, the amendments made by the Honorable the Legislative Council to the Militia Act were read the first time as follows:

Press. 2. After the last clause insert "And whereas it is expedient to form one or more Companies of Artillery, be it enacted by the authority aforesaid that it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the Government of this Province to form and embody from time to time such Company or Companies of Artillery, and in such County or Counties as to him may seem most expedient and fit for his Majesty's Service."

Mr. Jones of Grenville, seconded by Mr. Gordon, moves that the amendments made by the Honorable the Legislative Council to the Militia Bill be read a second time on to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Hide Embargo Bill, Mr. Hamilton, of Wentworth, in the Chair.

The House resumed. Mr. Hamilton reported progress and asked for leave to sit again this day three months.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Pattie, Clark, Willson (Wentworth), Randal, Peterson, Horner, Baldwin, Kerr, Hamilton (Lincoln), VanKoughnet, Crooks, Shaver, Walsh, Bostwick, Rogers.

Nays: Messrs. McLean (Stormont), Gordon, Jones (Leeds), Jones (Grenville), Wilmot, Hamilton (Wentworth), Willson (Prince Edward), Burwell, Ruttan, Casey, Hagerman.

The question was carried in the affirmative by a majority of four, and leave was granted accordingly.

The House then adjourned till ten o'clock to-morrow.

Thursday, 27th February, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the Roll was called, when the following Members were absent: Messrs. McDonell, Casey, Willson (Prince Edward), Rogers, Kerr, Burwell, Bostwick, Baby.

Agreeably to the order of the day, the Petition of Mr. Charles C. Small, Deputy Clerk of the Crown, praying for larger Fees, was read.

Mr. Jones of Grenville, seconded by Mr. Gates, moves that the Petition of Charles C. Small be referred to the Committee on the Administration of Justice. Which was ordered.

Agreeably to notice, Dr. Baldwin, seconded by Mr. Willson of ————, moves for leave to bring in a Bill for the establishment of a College within this Province. Which was granted, and the Bill read.

Dr. Baldwin, seconded by Mr. Wilmot, moves that the College Bill be read a second time on Monday. Which was ordered.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council to the Bill intituled "An Act to permit the importation of Machinery into this Province free from duty for a limited time" was read the second time.

Mr. Morris, seconded by Mr. Hamilton of Lincoln, moves that the amendments made by the Honorable the Legislative Council to the said Bill be concurred in. Which was carried, and the amendments were signed.

Mr. VanKoughnet, seconded by Mr. Shaver, moves that Messrs. Morris and Hamilton (Lincoln) be a Committee to acquaint the Honorable the Legislative Council that this House has concurred in the amendments made by that House to the Bill intituled "An Act to permit the importation of Machinery into this Province free from duty for a limited time." Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Insolvent Debtors' Bill, Mr. VanKoughnet in the Chair.

The House resumed. Mr. VanKoughnet reported the Bill amended.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Pattie, Clark, Willson (Wentworth), Randal, Wilmot, Hamilton (Wentworth), Willson (Prince Edward), Baldwin, Baby, Horner, Ruttan, Chisholm, Casey, Hagerman, Bostwick, Kerr.

Nays: Messrs. Jones (Leeds), Gordon, White, Gates, Nichol, Burwell, Hamilton (Lincoln), Morris, VanKoughnet, Shaver.

The question was carried in the affirmative by a majority of six, and the Report was received.

Dr. Baldwin, seconded by Mr. Hamilton of Wentworth, moves that the Insolvent Debtors' Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Yonge Creek Bill was read the first time.

Mr. Jones of Leeds, seconded by Mr. Willson of Wentworth, moves that the Bill to authorize the collection of money to build a bridge across Yonge Creek be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Cramahe Boundary Line Bill, Mr. Baby in the Chair.

The House resumed. Mr. Baby reported the Bill amended. Ordered, that the Report be received.

Mr. Ruttan, seconded by Mr. Chisholm, moves that the Cramahe Boundary Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on McCallum's Petition, Mr. Burwell in the Chair.

The House resumed. Mr. Burwell reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House, and asked leave to sit again on Monday next. Ordered, that the Report be received, and leave was granted, and it was

Resolved, That it is the opinion of the House that encouragement ought to be given for the manufacturing of Salt within this Province.

Agreeably to the order of the day, the Herring Fishery Bill was read the second time.

Mr. Chisholm, seconded by Mr. Ruttan, moves that the House do now resolve itself into a Committee of the Whole on the Herring Preservation Bill. Which was carried, and Mr. Ruttan took the Chair of the Committee.

The House resumed. Mr. Ruttan reported the Bill amended. Ordered, that the Report be received.

Mr. Chisholm, seconded by Mr. Gates, moves that the Herring Preservation Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Clement Relief Bill was read the second time.

Mr. Crooks, from the Committee to carry up to the Honorable the Legislative Council the Upper Canada Bank Bill, reported they had done so.

Mr. Nichol, seconded by Mr. Hagerman, moves that the House do, on to-morrow, resolve itself into a Committee of the Whole to take into consideration the Bill for the relief of John P. Clement and Jacob Smith. Which was ordered.

Mr. Nichol, seconded by Mr. Hagerman, moves that it be resolved that the Committee of the Whole on the Bill for the relief of John P. Clement and Jacob Smith be instructed to separate the same into two Bills for the separate relief of the said John P. Clement and Jacob Smith. Which was ordered.

Agreeably to the order of the day, the Still Duty Bill was read the second time.

Mr. Willson, of Wentworth, seconded by Mr. Hagerman, moves that the House do now resolve itself into Committee of the Whole, to take into consideration the Still Duty and Admeasurement Bill. Which was carried, and Mr. Shaver took the Chair of the Committee.

The House resumed. Mr. Shaver reported the Bill amended. Ordered that the Report be received.

Mr. Willson, of Wentworth, seconded by Mr. Hagerman, moves that the Still Duty and Admeasurement Bill be engrossed, and read a third time on to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on His Excellency the Lieutenant Governor's Message. Mr. Pattie in the Chair.

The House resumed. Mr. Pattie reported progress, and asked for leave to sit again to-morrow. Ordered that the Report be received, and leave was granted accordingly.

The House then adjourned till ten o'clock to-morrow.

Friday, 28th February, 1823.

The House met: Prayers were read: The minutes of yesterday were read.

Dr. Baldwin, seconded by Mr. Willson, of Prince Edward, moves for leave to bring up the Petition of Valentine Gill, Esquire. Which was granted, and the Petition brought up.

Mr. Willson, of Prince Edward, seconded by Mr. Rogers, moves for leave to bring up the Petition of the inhabitants of the County of Prince Edward. Which was granted, and the Petition brought up.

Agreeably to the order of the day, the House was called, when the following Members were absent:—Messrs. McDonell, Jones (Grenville), Kerr, Baby and Chisholm.

Agreeably to the order of the day, the Insolvent Debtors' Bill was read the third time.

Dr. Baldwin, seconded by Mr. Willson (Wentworth), moves that the Bill do now pass, and that it be intituled "An Act for the final relief of Insolvent Debtors in Execution."

In amendment, Mr. Crooks, seconded by Mr. Morris, moves that all the words in the original motion after "Bill" be expunged, and the following inserted in their stead, "be printed for the information of the country." On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean (Stormont), Gordon, Hamilton (Lincoln), Gates, Burwell, Morris, Crooks, VanKoughnet, Jones (Grenville), Shaver, Hagerman.

Nays: Messrs. Pattie, Clark, Randal, Willson (Wentworth), Hamilton (Wentworth), Wilmot, Baldwin, Willson (Prince Edward), Baby, White, Horner, Jones (Leeds), Ruttan, Kerr, Casey, Rogers, Chisholm, Bostwick.

The question was decided in the negative by a majority of seven, and lost accordingly.

On the original question being put the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Pattie, Clark, Randal, Willson (Wentworth), Hamilton (Wentworth), Wilmot, Willson (Prince Edward), Baldwin, Baby, Horner, Ruttan, Rogers, Casey, Kerr, Hagerman.

Nays: Messrs. McLean (Stormont), Gordon, Hamilton (Lincoln), White, Jones (Leeds), Gates, Burwell, Morris, Crooks, VanKoughnet, Jones (Grenville), Shaver, Bostwick.

The question was carried in the affirmative by a majority of three, and the Bill was signed.

Mr. Willson, of Wentworth, seconded by Mr. Hamilton, of Wentworth, moves that Messrs. Baldwin and Horner be a Committee to carry up to the Honorable the Legislative Council the Insolvent Debtors' Bill, and request their concurrence thereto.

Agreeably to the order of the day, the Cramahe Boundary Bill was read the third time.

Mr. Ruttan, seconded by Mr. Rogers, moves that the Bill do now pass, and that the title be "An Act to repeal part of an Act passed in the fifty-ninth year of His late Majesty's Reign, intituled 'An Act to repeal an Ordinance of the Province of Quebec,' passed in the twenty-fifth year of His Majesty's Reign, intituled 'An Ordinance concerning Land Surveyors and the Admeasurement of Lands,' and also to extend the provisions of an Act passed in the thirty-eighth year of His Majesty's Reign, intituled 'An Act to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province, and further to regulate the manner in which Lands are hereafter to be Surveyed,' in so far as it affects the Township of Cramahe," and to make other provision for ascertaining the side lines of lots within the same, and also to authorize the correction of the eastern side line of the said Township."

On which the House divided, and the yeas and nays taken were as follows:

Yeas: Messrs. Pattie, Hamilton (Wentworth), Randal, Willson (Wentworth), Hamilton (Lincoln), Wilmot, Baldwin, Willson (Prince Edward), Baby, Horner, White, Gates, Ruttan, Casey, Rogers, Burwell, Chisholm, Morris, Bostwick.

Nays: Messrs. Gordon, Clark, Jones (Leeds).

The question was carried in the affirmative by a majority of sixteen, and the Bill was signed.

Mr. Casey, seconded by Mr. Burwell, moves that Messrs. Ruttan and Gates be a Committee to carry up to the Honorable the Legislative Council the Cramahe Boundary Line Bill, and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Herring Preservation Bill was read the third time.

Mr. Chisholm, seconded by Mr. Gates, moves that the Bill do now pass, and that it be intituled "An Act for the better preservation of the Herring Fishery at the outlet of Burlington Bay." Which was carried, and the Bill signed.

Mr. Morris, seconded by Mr. Gates, moves that Messrs. Chisholm and Ruttan be a Committee to carry up to the Honorable the Legislative Council the Herring Fishery Preservation Bill, and to request their concurrence thereto. Which was ordered.

Mr. Willson, Wentworth, seconded by Mr. Casey, moves that the Still License Duty and Admeasurement Bill be now re-committed. Which was carried, and Mr. Shaver took the Chair of the Committee.

The House resumed. Mr. Shaver reported the Bill as amended.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean (Stormont), Gordon, Hagerman, Willson (Wentworth), Baldwin, Burwell, Casey, Gates, Morris, Hamilton (Lincoln), Kerr, Van-Koughnet, Jones (Grenville), Shaver, Bostwick.

Nays: Messrs. Pattie, Clark, Hamilton (Wentworth), Wilmot, Baby, White, Chisholm, Ruttan, Rogers, Crooks.

The question was carried in the affirmative by a majority of six, and the Report was received accordingly.

Mr. Willson, of Wentworth, seconded by Mr. Hagerman, moves that the Still Duty and Admeasurement Bill be engrossed, and read a third time this day, and that the fifth Rule of this House be dispensed with as far as relates to the same. Which was ordered.

Agreeably to the order of the day, the Petition from Samuel Street, of the Township of Stamford, Esq., praying to be remunerated for building a bridge over the Chippewa Creek, was read.

Mr. Clark, seconded by Mr. Gordon, moves that the Petition of Samuel Street, Esq., be referred to a Select Committee to be composed of Messrs. Nichol and Pattie, and that the Committee have power to send for persons or papers and to report by Bill or otherwise.

In amendment, Mr. Hagerman, seconded by Mr. Kerr, moves that all the words after the word "Esquire" be expunged, that the following be inserted, "be taken into consideration this day three months." Which was carried.

On the original question as amended being put the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Grenville), Jones (Leeds), McLean (Stormont), Gordon, Randal, Hamilton (Wentworth), Wilmot, Baldwin, White, Baby, Morris, Casey, Rogers, Ruttan, Kerr, Hagerman, Shaver.

Nays: Messrs. Pattie, Clark, Chisholm, Burwell, Bostwick.

The question was carried in the affirmative by a majority of twelve, and it was ordered accordingly.

Agreeably to the order of the day the House went into Committee on His Excellency the Lieutenant Governor's Message. Mr. Pattie in the Chair.

The House resumed. Mr. Pattie reported progress, and asked leave to sit again this day. Ordered that the Report be received, and leave was granted accordingly.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to restrain the selling of Beer, Ale, Cider and other Liquors not spirituous in certain Towns and Villages in this Province, and to regulate the manner of Licensing Alehouses within the same," and the Bill intituled "An Act for the Relief of Matthew Crooks," which they had passed without amendment, and two Messages, and having withdrawn, the Speaker read the Messages as follows:

Mr. Speaker: The Honorable the Legislative Council request a Conference with the Commons House of Assembly on the subject matter of the Bill intituled "An Act to continue part of an Act passed in the fifty-ninth year of His late Majesty's Reign, intituled 'An Act for establishing a Police in the Town of Niagara,'" and have appointed a Committee of two Members, who will be ready to meet a Committee of the Commons House of Assembly for that purpose in the Joint Committee Room at 3 o'clock this day.

WM. DUMMER POWELL, Speaker.

Leg. Council Chamber, 28th Feb'y, 1823.

Mr. Speaker,—The Honorable the Legislative Council request a Conference with the House of Assembly on the subject matter of the Bill intituled "An Act to repeal an Act passed in the thirty-second year of His late Majesty's Reign, intituled 'An Act to establish the Winchester Measure and a Standard for other weights and measures throughout this Province,' and to make more effectual provision for the establishment of an uniformity of weights and measures throughout this Province," and have appointed a Committee of two Members, who will be ready to meet a Committee of the Commons House of Assembly for that purpose in the joint Committee Room at three o'clock this day.

WM. DUMMER POWELL, Speaker.

Leg. Council Chamber, 28th Feb'y, 1823.

Mr. Jones, of Leeds, seconded by Mr. Jones, of Grenville, moves that he have leave to withdraw from this House the Petition of Bates, DeLong, Spafford, Dowsley and Gardner, in order that they may be laid before the Honorable the Legislative Council, before whom a Bill is now pending. Which was granted.

Mr. Ruttan, seconded by Mr. Gates, moves that a Conference with the Honorable Legislative Council on the subject matter of the Weights and Measures Bill be acceded to, and that Messrs. Gordon and Morris be ordered to meet the Conference of that Honorable House for that purpose. Which was ordered.

Mr. Morris, seconded by Mr. Shaver, moves that this House do concur in the request of the Honorable the Legislative Council for a Conference on the subject matter of the Niagara Police Bill, and that Messrs. Kerr, Hamilton, of Lincoln, and Gates be a Committee for that purpose. Which was ordered.

Mr. Ruttan, seconded by Mr. Gates, moves that a Message be sent to the Honorable the Legislative Council to acquaint that House that this House has agreed to a Conference with that Honorable Body on the subject of the Weights and Measures Act, and has appointed four of its Members to meet the Conference of that Honorable House in the Joint Committee Room at three o'clock this day, and that Messrs. Hamilton, of Lincoln, and Crooks do carry up the Message. Which was ordered.

Mr. Morris, seconded by Mr. Chisholm, moves that Messrs. VanKoughnet and Shaver be a Committee to acquaint the Honorable the Legislative Council that this House has agreed to a Conference on the subject matter of the Niagara Police Bill, and has appointed a Committee of four of its Members for that purpose who will meet the Committee of their House at the time appointed. Which was ordered.

Mr. Hagerman, from the Committee appointed to confer with the Committee of the Honorable the Legislative Council on the subject matter of the Weights and Measures Bill, reported that the Conferees of the Honorable the Legislative Council acquainted them that the usual accounting clause had been omitted in the Bill.

Mr. Crooks, from the Committee to confer with the Committee of the Honorable the Legislative Council on the subject matter of the Niagara Police Bill, reported that the alterations proposed by the Conferees on the part of the Hon. Legislative Council relating to the raising of money could not be entertained by the Committee of this House.

Agreeably to the order of the day, the Still Duty Bill was read the third time.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Still Duty and Admeasurement Bill do now pass, and that it be intituled "An Act prescribing the mode of measuring the contents of Wooden Stills, also fixing the rate of duty to be paid on all stills used for the distillation of liquor within this Province." Which was carried, and the Bill signed.

Mr. Morris, seconded by Mr. Shaver, moves that Messrs. Willson (Wentworth) and Wilmot be a Committee to carry up to the Honorable the Legislative Council the Still Admeasurement and Duty Bill, and to request their concurrence thereto. Which was ordered.

Dr. Baldwin, from the Committee to carry up to the Honorable the Legislative Council the Insolvent Debtors' Bill and request their concurrence thereto, reported they had done so.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor several Messages, and having withdrawn, the Speaker read the same as follows:

P. Maitland.

The Lieutenant Governor transmits to the House of Assembly copies of the Assessment and Population Returns as far as have been received since the last Session of the Legislature.

Govt. House, 28th Feb'y, 1823.

P. Maitland.

The Lieutenant Governor transmits to the House of Assembly copies of such Reports of the Board of Education as have been received since the last Session of the Legislature.

Govt. House, 28th Feb'y, 1823.

P. Maitland.

The Lieutenant Governor transmits to the House of Assembly copies of such Reports of the Boards of Trustees of District Schools as have been received since the last Session of the Legislature.

Govt. House, 28th Feb'y, 1823.

P. MAITLAND.

The Lieutenant Governor transmits to the House of Assembly copies of the Accounts of the Treasurers of the several Districts of this Province received since the last Session of the Legislature.

Govt. House, 28th Feb'y, 1823.

P. MAITLAND.

The Lieutenant Governor transmits to the House of Assembly a copy of the Report of the Commissioners for the improvement of the Internal Navigation of this Province.

Govt. House, 28th Feb'y, 1823.

Mr. Hagerman, seconded by Mr. Burwell, moves that the reading of the documents transmitted with the several Messages of His Excellency the Lieutenant Governor this day, be the first thing on the order of the day after Petitions on Monday next. Which was ordered.

The House went again into Committee on His Excellency the Lieutenant Governor's Message. Mr. Pattie in the Chair.

The House resumed. Mr. Pattie reported that the Committee had agreed to several Resolutions, which he was directed to submit for the adoption of the House.

The first Resolution was then put and carried as follows:

Resolved, That in pursuance of the recommendation of the Legislative Council and Assembly of Upper Canada at the last Session, His Excellency the Lieutenant Governor was graciously pleased to appoint John Beverly Robinson, Esquire, His Majesty's Attorney General and a Member of this House, to lay at the foot of the Throne the Joint Address of the said Council and Assembly, praying for relief from embarrassment, pressing and increasing, occasioned by the withholding of our Just Revenue by the Sister Province.

The second Resolution was then put and carried as follows:

Resolved, That the duties entrusted to the said John Beverly Robinson of advocating the objects of the said Address at the seat of the Imperial Government have been performed with a zeal, ability and fidelity highly honorable to himself, and in a manner which fully justified the expectation which was formed of the advantages this Province would derive from his selection to so arduous and important an office.

The third Resolution was then put and carried as follows:

Resolved, That the thanks of this House be presented to the said John Beverly Robinson, as a testimony of the just sense it entertains of his valuable services and distinguished merits.

The fourth Resolution was then put and carried as follows:

Resolved, That the Honorable the Speaker do communicate a copy of the foregoing Resolutions to the said John Beverly Robinson.

The fifth Resolution was then put and carried as follows:

Resolved, That the said John Beverly Robinson is detained in England at the instance of His Majesty's Ministers for purposes connected with the interests of this Province beyond the more immediate period for which the more immediate objects of the Joint Address of the Legislature at its last Session required.

The sixth Resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Gates, Gordon, Chisholm, Ruttan, McLean, Burwell, Hamilton (Lincoln), Hagerman, Morris, VanKoughnet, Bostwick, Crooks, Shaver, Kerr.

Nays: Messrs. Pattie, Randal, Willson (Wentworth), Hamilton (Wentworth), Casey, Wilmot, Baldwin, Horner, White, Baby, Clark, Rogers.

The question was carried by a majority of three, and it was

Resolved, That it is therefore necessary to grant to His Majesty a further sum of money not exceeding One Thousand Pounds towards the more effectual remuneration of the said Commissioner Robinson.

Mr. Hagerman, seconded by Mr. Burwell, moves that Messrs. McLean, of Stormont, and Ruttan, be a Committee to draft a Bill granting to His Majesty the sum of One Thousand Pounds towards the further remuneration of Commissioner Robinson agreeably to the foregoing Resolution. Which was ordered.

Mr. Morris, seconded by Mr. Shaver, moves that an Humble Address be presented to His Excellency the Lieutenant Governor, thanking His Excellency for his gracious messages of this day, transmitting the Report of the Canal Commissioners, the Reports of the Boards of Education and the Trustees of the District Schools, and also Treasurers' Accounts; and that Messrs. Crooks and Burwell be a Committee to draft the Address. Which was ordered.

Mr. Jones, of Leeds, gives notice that he will, on Monday next, move that this House resolve itself into a Committee of the Whole, to take into consideration the propriety of transmitting certain instructions to Mr. Commissioner Robinson on the subject of certain objectionable clauses in the printed Union Bill.

Mr. Baby gives notice that he will, on to-morrow, move that an Humble Address be presented to His Excellency the Lieutenant Governor, for the Relief of certain Militia Men entitled to land for their services during the late War with the United States, who were not in the Province or not aware of the time given by His Excellency, thereby could not apply in time.

Mr. Wilmot, seconded by Mr. Hamilton (Wentworth) moves that Mr. Willson, of Prince Edward, have leave of absence for the remainder of the Session. Which was granted.

The House then adjourned till ten o'clock to-morrow.

Saturday, 1st March, 1823.

The House met: Prayers were read: The minutes of yesterday were read.

Agreeably to the order of the day the Roll was called. Absent: Messrs. McLean (Stormont), Jones (Grenville), Rogers, Burwell, Nichol, Gordon, Baby, Hamilton (Wentworth).

Mr. Willson, Wentworth, seconded by Mr. Chisholm, moves that he have leave to bring up the Petition of Peter Jones, of Barton, in the Gore District. Which was granted, and the Petition brought up.

Mr. Willson, Wentworth, seconded by Mr. Clark, moves that Mr. Hagerman, be added to the Committee to whom was referred the Petition of Daniel Harris, of the Township of Toronto. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Kingston Bank Commissioners Bill. Mr. Shaver in the Chair.

The House resumed. Mr. Shaver reported the Bill as amended. Ordered that the Report be received.

Mr. Morris, seconded by Mr. Hagerman, moves that the Kingston Bank Commissioners Bill be engrossed and read a third time on Monday. Which was ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. Shaver, moves for leave to bring in a Bill to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor, pursuant to the Address of this House at its last Session. Which was granted and the Bill read.

Mr. Morris, seconded by Mr. Shaver, moves that the Bill to make good certain moneys, etc., be read a second time on Monday. Which was ordered.

Mr. Burwell, from the Committee to draft an Address to His Excellency the Lieutenant Governor, thanking him for his gracious messages of yesterday transmitting Canal Commissioners, Report, etc., referred a draft, which was received and read the first time.

Mr. Morris, seconded by Mr. McLean, of Stormont, moves that the Address to His Excellency be read a second time on Monday. Which was ordered.

Dr. Baldwin, seconded by Mr. Baby, moves that Mr. Whitney have leave to be again heard on Monday next, at the third reading of the Kingston Bank Bill. Which was ordered.

Mr. Willson, of Wentworth, from the Committee to carry up to the Honorable the Legislative Council the Still Admeasurement and Duty Bill and request their concurrence, reported they had done so.

Agreeably to the order of the day, the Fishery Bill was read the second time.

Mr. Jones, of Leeds, seconded by Mr. Pattie, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the Bill for the Preservation of Salmon. Which was ordered, and Mr. Casey took the Chair.

The House resumed. Mr. Casey reported progress, and asked for leave to sit again on Monday next. Ordered that the Report be received, and leave was granted accordingly.

Mr. McLean, from the Committee to draft a Bill for the further remuneration of Mr. Commissioner Robinson, reported a draft, which was received and read the first time.

Mr. McLean, of Stormont, seconded by Mr. Ruttan, moves that the Bill granting to His Majesty a sum of money further to compensate the Commissioner of this Province relative to our financial relations with Lower Canada, be read a second time on Monday next. Which was ordered.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council to the Militia Bill were read the second time.

Mr. Morris, seconded by Mr. Casey, moves that the House do concur in the amendments made by the Honorable the Legislative Council to the Militia Bill. Which was carried, and the amendments were signed.

Mr. Morris, seconded by Mr. Bostwick, moves that Messrs. Casey and Shaver be a Committee to acquaint the Honorable the Legislative Council that this House has concurred in the amendments made by them to the Militia Bill. Which was ordered.

Mr. Nichol, from the Committee on the Province Division, reported a Bill; which was received and read the first time.

Mr. Nichol, seconded by Mr. Jones, of ————, moves that the Bill for the better division of the Province be read a second time on Monday next. Which was ordered.

Mr. Hagerman, from the Committee on the Administration of Justice, reported the District Attorneys Bill; which was received and read the first time.

Mr. Hagerman, seconded by Mr. Bostwick, moves that the District Attorneys Bill be read a second time on Monday next. Which was ordered.

Mr. Hagerman, from the Committee to whom was referred the Petition of the Rector and Church Wardens of St. George's Church, Kingston, reported a Bill, which was received and read the first time.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Bill authorizing the Rector and Church Wardens of St. George's Church, Kingston, to surrender a certain patent therein mentioned, be read a second time on Monday next. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Collector's Bill. Mr. Crooks in the Chair.

The House resumed. Mr. Crooks reported the Bill as amended.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Gordon, Nichol, Walsh, Willson (Wentworth), Randal, Pattie, Wilmot, Horner, Crooks, Hamilton (Wentworth), McLean (Stormont), Ruttan, Burwell, Shaver, Casey, Gates, Hagerman, Morris, VanKoughnet, Bostwick, Hamilton (Lincoln).

Nay: Mr. Jones (Leeds).

The question was carried in the affirmative by a majority of twenty, and the Report received accordingly.

Mr. Hagerman, seconded by Mr. Casey, moves that the Collectors Bill be engrossed, and read a third time on Tuesday. Which was ordered.

Mr. Nichol gives notice that he will, on Monday next, move that it be resolved that the Commissioner of this Province near His Majesty's Government be instructed as to the course to be pursued by him respecting the Bill for the Union of the Provinces of Upper and Lower Canada.

Mr. Nichol gives notice that he will, on Monday next, move that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to procure for the information of this House Statements in detail of the duties collected at the Port of Quebec for the years 1819, 1820, 1821 and 1822, distinguishing the several Acts under which the said duties are respectively collected, and the charges of collecting the same, also that His Excellency be requested to procure the same information annually hereafter for the information of this House; also requesting His Excellency to direct the proper officer to lay before this House during the next Session of Parliament a Statement of the amount of duties collected from Imports, Licenses and other sources of Revenue from the year 1819 to 1823.

Mr. Ruttan gives notice that he will, on Monday next, move for leave to bring in a Bill for the purpose of appropriating a sum of money for a Standard of Weights and Measures, and for other purposes therein mentioned.

Mr. Hamilton, of Lincoln, gives notice that he will, on Monday next, move for leave to bring in a Bill to continue and amend an Act passed in the fifty-ninth year of His late Majesty's Reign, intituled "An Act to establish a Police in the Town of Niagara."

The House then adjourned till twelve o'clock on Monday next.

Monday, 3rd March, 1823.

The House met: Prayers were read: The minutes of yesterday were read.

Mr. Hamilton, of Lincoln, seconded by Mr. Crooks, moves for leave to bring up the Petition of William Peterson, of the District of Niagara. Which was granted, and the Petition brought up.

Mr. Hamilton, of Lincoln, seconded by Mr. Ruttan, moves that the Sixth Rule of this House be dispensed with so far as relates to the Petition of William Peterson, and that the same be read this day. Which was ordered.

Mr. Clark, seconded by Mr. Willson, of Wentworth, moves for leave to bring up the Petition of John Petit, Esquire. Which was granted, and the Petition brought up.

Agreeably to the order of the day the House was called. Absent: Messrs. Pattie, McLean (Stormont), Jones (Leeds), Hagerman, Casey, White, Baby.

Agreeably to the order of the day, the Kingston Bank Commissioners Bill was read the third time.

Mr. Morris, seconded by Mr. Crooks, moves that the Kingston Bank Commissioners Bill be now re-committed. Which was carried, and Mr. Shaver took the Chair of the Committee.

The House resumed. Mr. Shaver reported the Bill without amendment. Ordered that the Report be received.

The Kingston Bank Commissioners Bill was read a third time.

Dr. Baldwin, seconded by Mr. Jones, of Leeds, moves that the following words be added to the last clause as a Rider:—"Except with the consent of the said Commissioners, or a majority of them, by instrument under their hands and seals, giving and expressing such consent." Which was carried.

Agreeably to the order of the day, the Petition from the inhabitants of the County of Prince Edward, praying to be set off and made a separate District; the Petition from Valentine Gill, Esq., praying the interference of the House of Assembly in his behalf; the Petition of Peter Jones, of Barton, praying that a sum of money may be loaned him to enable him more effectually to carry on his Salt Works; and the Petition of William Peterson, praying to be restored to the Pension list, were read.

Dr. Baldwin, seconded by Mr. Horner, moves that the Petition of Mr. Valentine Gill be referred to Messrs. Crooks, Willson, of Wentworth, and Wilmot. Which was carried.

Mr. Hamilton, of Lincoln, seconded by Mr. Crooks, moves that the Petition of William Peterson be referred to a Select Committee, and that Messrs. Crooks and Kerr compose the same, and that they have power to report by Bill or otherwise. Which was ordered.

Mr. Willson, of Wentworth, seconded by Mr. Chisholm, moves that the Petition of Peter Jones, of Barton, be referred to the Committee of the Whole House, to whom was referred the Petition of Peter McCallum. Which was ordered.

Mr. Morris, seconded by Mr. Nichol, moves that the Kingston Bank Commissioners Bill do now pass, and that it be intituled "An Act vesting in the hands of certain Commissioners therein named all the Stock, Debts, Bonds and property of the pretended Bank of Upper Canada, lately established at Kingston for the benefit of the creditors of that Institution." Which was carried, and the Bill signed.

Mr. Morris, seconded by Mr. Burwell, moves that Messrs. Nichol and Baldwin be a Committee to carry up to the Honorable the Legislative Council the Kingston Bank Commissioners Bill and request their concurrence in the same. Which was ordered.

Agreeably to the order of the day, the Canal Commissioners' Report was read.

Mr. Nichol, seconded by Mr. Burwell, moves that five hundred copies of the Report of the Commissioners of Inland Navigation, with the estimates, be printed. Which was ordered.

Mr. Crooks, from the Committee to whom was referred the Petition of William Peterson, reported a Bill, which was received and read the first time.

Mr. Crooks, seconded by Mr. Gates, moves that the Bill for the relief of William Peterson be read a second time on to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on J. Hardey's Petition. Mr. Gates in the Chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to repeal part of an Act passed in the first year of His Majesty's Reign, intituled 'An Act for altering the time of holding the General Quarter Sessions of the Peace in the Home District,' and further to fix the time of holding the said Quarter Sessions," and the Bill intituled "An Act for the division of the Township of Ameliasburgh, in the County of Prince Edward," which they had passed without amendment, and withdrew.

The House went again into Committee on Hardey's Petition. Mr. Gates in the Chair.

The House resumed. Mr. Gates reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House. Ordered that the Report be received, and it was

Resolved, That it is the opinion of this House that the Petition of John Hardey be referred to a Select Committee, and that the Chairman be directed to move the House to that effect.

Mr. Randal, seconded by Mr. Pattie, moves that Messrs. Nichol and Willson, Wentworth, be a Committee to take the Petition of John Hardy into consideration. Which was ordered.

Agreeably to the order of the day, Yonge Creek Bridge Bill was read the second time.

Mr. Jones, Leeds, seconded by Mr. Pattie, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Bill to authorize the building of a bridge over Yonge Creek. Which was carried, and Mr. Bostwick took the Chair of the Committee.

The House resumed. Mr. Bostwick reported the Bill without amendment. Ordered that the Report be received.

Mr. Jones, Leeds, seconded by Mr. Kerr, moves that the Yonge Creek Bridge Bill be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Clement Relief Bill. Mr. Clark in the Chair.

The House resumed. Mr. Clark reported that the Committee had agreed to two Bills, viz.:

Clement's Relief Bill and Smith's Relief Bill. Ordered that the Report be received.

Dr. Baldwin, seconded by Mr. Randal, moves that the two Bills for the relief of Clement and Smith be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Fishery Amendment Bill. Mr. Casey in the Chair.

The House resumed. Mr. Casey reported the Bill amended. Ordered that the Report be received.

Mr. Ruttan, seconded by Mr. Hagerman, moves that the Salmon Preservation Bill be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Commissioner's Remuneration Bill was read the second time.

Mr. McLean, of Stormont, seconded by Mr. Walsh, moves that the House do now go into Committee of the Whole on the Commissioner's Remuneration Bill. Which was carried, and Mr. Walsh took the Chair of the Committee.

The House resumed. Mr. Walsh reported the Bill without amendment.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean (Stormont), Walsh, Hagerman, Ruttan, Burwell, VanKoughnet, Hamilton (Lincoln), Kerr, Morris, Gates, Bostwick, Shaver.

Nays: Messrs. Randal, Casey, Clark, Pattie, Baldwin.

The question was carried in the affirmative by a majority of seven, and the report was received accordingly.

Mr. McLean, of Stormont, seconded by Mr. Hamilton, of Lincoln, moves that the Commissioner's Remuneration Bill be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day the Address to His Excellency the Lieutenant Governor, thanking him for his Message and documents sent down on Saturday, the first instant, was read the second time.

Mr. Morris, seconded by Mr. Gates, moves that the House do concur in the Address to His Excellency, and that it be engrossed and read a third time to-morrow. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 4th March, 1823.

The House met: Prayers were read: The minutes of yesterday were read.

Agreeably to the order of the day, the House was called. Absent: Messrs. White, Rogers, Kerr, Hamilton (Wentworth), Horner, Burwell, Nichol, Baby.

Agreeably to the order of the day, the Yonge Creek Bridge Bill was read the third time.

Mr. Jones, of Leeds, seconded by Mr. Pattie, moves that the Bill do now pass, and that it be intituled "An Act to authorize the Justices of the Peace in the District of Johnstown, in General Quarter Sessions assembled, to lay and collect an additional Assessment and Rate for the purpose of building a bridge over Yonge Creek. Which was carried, and the Bill signed.

Mr. Morris, seconded by Mr. VanKoughnet, moves that Messrs. Jones, of Leeds, and Shaver, be a Committee to carry up to the Honorable the Legislative Council the Yonge Creek Bridge Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day Clement's Relief Bill was read the third time.

Mr. Morris, seconded by Mr. Hamilton, of Lincoln, moves that the Bill do now pass, and that it be intituled "An Act for the Relief of John P. Clement." Which was carried, and the Bill signed.

Mr. Casey, seconded by Mr. Clark, moves that Messrs. Wilmot and Horner be a Committee to carry up to the Honorable the Legislative Council the Bill for the Relief of J. P. Clement, and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, Smith's Relief Bill was read the third time.

Mr. VanKoughnet, seconded by Mr. Morris, moves that the Bill do now pass, and that it be intituled "An Act for the Relief of Jacob Smith." Which was carried, and the Bill signed.

Mr. VanKoughnet, seconded by Mr. Morris, moves that Messrs. Wilmot and Horner be a Committee to carry up to the Hon. the Legislative Council the Bill for the Relief of Jacob Smith, and request their concurrence thereto.

Agreeably to the order of the day, the Salmon Preservation Bill was read the third time.

Mr. Ruttan, seconded by Mr. Wilmot, moves the following as a Rider:

"And be it further enacted by the authority aforesaid, that one half of any such fine as aforesaid levied or collected by virtue of this Act shall be given to the informer, and the other half shall be paid into the hands of His Majesty's Receiver General, to and for the Public uses of this Province, to be accounted for to His Majesty through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct." Which was ordered.

Agreeably to the order of the day, the Commissioner's Remuneration Bill was read the third time.

Mr. McLean, of Stormont, seconded by Mr. Morris, moves that the Bill do now pass, and that it be intituled "An Act granting to His Majesty a sum of money for the purposes therein mentioned." On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Kerr, Gordon, Ruttan, Gates, Chisholm, McLean (Stormont), Hamilton (Lincoln), Hagerman, Morris, VanKoughnet, McDonell, Shaver, Bostwick.

Nays: Messrs. Pattie, Randall, Clark, Hamilton (Wentworth), Casey, Horner, Walsh, Wilmot.

The question was carried in the affirmative by a majority of six, and the Bill signed.

Mr. Morris, seconded by Mr. Shaver, moves that Messrs. McLean, of Stormont, and VanKoughnet, be a Committee to carry up to the Honorable the Legislative Council the Commissioner's Remuneration Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, thanking him for his gracious Message transmitting to this House the Report of the Canal Commissioners, the Reports of the Boards of Education and Trustees of District Schools and certain Treasurers' Accounts was read the third time, passed and signed by the Speaker, and is as follows:

To His Excellency, Sir Peregrine Maitland, K.C.B.; Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to thank Your Excellency for your most gracious message transmitting to this House the Report of the Canal Commissioners, the Report of the Boards of Education and Trustees of District Schools, and certain Treasurers' Accounts.

Levius P. Sherwood, Speaker.

Commons House of Assembly, 4th March, 1823.

Mr. Morris, seconded by Mr. Crooks, moves that Messrs. Bostwick and Ruttan be a Committee to wait upon His Excellency the Lieutenant Governor to know when His Excellency will be pleased to receive the Address of this House and to present the same. Which was ordered.

Mr. Hagerman, seconded by Mr. McLean, of Stormont, moves that the Collector's Bill be re-committed. Which was carried, and Mr. Bostwick took the Chair of the Committee.

The House resumed. Mr. Bostwick reported the Bill as amended. Ordered that the Report be received.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Collector's Bill be engrossed, and read a third time this day; and that the fifth Rule of this House be dispensed with for that purpose. Which was ordered.

The Salmon Preservation Bill was then read a third time.

Mr. Ruttan, seconded by Mr. Wilmot, moves that the Bill do now pass, and that it be intituled "An Act to repeal part of and to amend and extend the provisions of an Act passed in the second year of the Reign of His present Majesty, intituled 'An Act to repeal the laws now in force relative to the preservation of salmon, and to make further provision respecting the Fisheries in certain parts of this Province, and also to prevent accidents by fire from persons fishing by torch or fire light.'" Which was carried, and the Bill signed.

Mr. Wilmot, seconded by Mr. Horner, moves that Messrs. Casey and Ruttan be a Committee to carry up to the Honorable the Legislative Council the Salmon Preservation Bill, and to request the concurrence of that Honorable Body thereto. Which was ordered.

Agreeably to the order of the day, the Collector's Bill was read the third time.

Mr. Hamilton, of Lincoln, seconded by Mr. Morris, moves that the Collector's Bill do now pass, and that it be intituted "An Act to repeal the laws now in force for the collection of duties within this Province and to make more effectual provision for the due collection of the same."

In amendment, Mr. Willson, of Wentworth, seconded by Mr. Jones, of Leeds, moves that after the word "moves" the whole of the original motion be expunged and the following inserted, "that the following Clause be added to the Bill as a Rider":

"And be it further enacted by the authority aforesaid that this Act shall be and remain in force for and during the term of four years, and from thence to the end of the then next ensuing Session of Parliament, and no longer."

On which the House divided, and the yeas and the nays being taken were as follows:

Yeas: Messrs. Pattie, Willson (Wentworth), Casey, Randal, Clark, Wilmot, Walsh, Horner, Baby, Baldwin, Jones (Leeds), Hamilton (Wentworth), Chisholm.

Nays: Messrs. Gordon, Nichol, Morris, Gates, Hamilton (Lincoln), Burwell, Kerr, Hagerman, VanKoughnet, McLean (Stormont), McDonell, Shaver, Bostwick.

The question was decided in the negative by the casting vote of the Speaker, and lost accordingly.

On the original question being put the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Gordon, Nichol, Casey, Willson (Wentworth), Walsh, Morris, Gates, Hamilton (Lincoln), Burwell, Hagerman, Kerr, VanKoughnet, McLean (Stormont), McDonell, Shaver, Bostwick.

Nays: Messrs. Pattie, Hamilton (Wentworth), Randal, Clark, Wilmot, Horner, Baby, Baldwin, Jones (Leeds), Chisholm.

The question was carried in the affirmative by a majority of six, and the Bill was signed.

Mr. Willson, of Wentworth, seconded by Mr. Casey, moves that Messrs. Hagerman and Hamilton (Lincoln) be a Committee to carry up to the Honorable the Legislative Council the Collector's Bill, and request their concurrence thereto. Which was ordered.

Mr. Baldwin, from the Committee to whom was referred the Petition of David Crawford, informed the House that the Committee had agreed to a Report, which he was directed to submit for the adoption of the House. Ordered that the Report be received, and it was read as follows:

To the Honorable the Commons House of Assembly,

Your Committee to whom were referred the Petitions of Francis Lee, Susannah Kendrick, Jacob Vere and David Crawford, beg leave to report,

That, having had the same under consideration, they regret to say they cannot recommend the placing them upon the Militia Pension List of this Province.

Though the Petitioners set forth their present distress, yet it does not appear to be all of that nature that can be considered as affording them a claim upon the Public Revenue of the Province.

W. W. BALDWIN, Chairman.

Mr. Nichol, from the Committee to whom were referred the Public Accounts, informed the House that the Committee had agreed to a Report, which he was directed to submit for the adoption of the House. Ordered that the Report be received.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Heir and Devisee Bill, which they had passed with some amendment; the Bill to limit the sale of Liquor to Indians, which they had also passed with some amendments, to all of which he was directed to request the concurrence of this House; and having withdrawn the amendments to the Act limiting the sale of Spirituous Liquors to Indians were read as follows:

In the title after the word "to" expunge "limit" and insert "prohibit."

Press 1, line 1: After "to" expunge "limit" and insert "prohibit."

Press 1, line 16: After "Indians" expunge "any quantity less than six gallons."

The amendments made by the Hon. Legislative Council to the Heir and Devisee Bill were then read as follows:

Press 2, line 8: After "original" insert "nominees or," line 15, after "claim" insert "by affixing such notice of the claim in some public place in the Court House of the District in which such land shall be situated for at least three months next preceding to the sitting of such Commission, and the same to be proclaimed in open Court by the Crier thereof immediately after the charge to the Grand Jury."

Press 4, line 11: After "Perjury" expunge the remainder of the Bill.

Mr. McLean, of Stormont, seconded by Mr. Burwell, moves that the amendments made by the Honorable the Legislative Council in and to the Bill intituled "An Act to afford Relief to persons in this Province claiming lands therein under assignments from heirs and devisees or assignees of the original nominees of the Crown in cases where no patents have issued, and for other purposes therein mentioned" be read a second time to-morrow. Which was ordered.

Mr. Hagerman, from the Committee to carry up to the Honorable the Legislative Council the Collectors' Bill and to request their concurrence thereto, reported they had done so.

Mr. McLean, from the Committee to carry up to the Hon. the Legislative Council the Bill authorizing an additional rate for the erection of a bridge over Yonge Creek in the Johnstown District, and to request concurrence therein, reported they had done so.

Mr. Wilmot, from the Committee to carry up to the Honorable the Legislative Council the Bills for the Relief of John P. Clement and Jacob Smith, and to request their concurrence therein, reported they had done so.

Mr. Hagerman, seconded by Mr. McLean, moves that the Report of the Select Committee on Public Accounts be referred to a Committee of the Whole on Supply. Which was ordered.

Mr. Baldwin, from the Committee to whom was referred the Petition from sundry inhabitants of this Province, reported a Bill, which was received and read the first time.

Mr. Baldwin, seconded by Mr. Wilmot, moves that the Orange Club Bill be read a second time to-morrow. Which was ordered.

Mr. Baldwin, from the Committee to whom was referred the Petition from the inhabitants of Chingacousy and Toronto, informed the House that the Committee had agreed to a Report, which he was directed to submit for the adoption of the House. Ordered that the Report be received, and it was read as follows:

The Committee of Your Honorable House to whom was referred the Petition of the Inhabitants of the Townships of Chingacousy and Toronto, beg leave to report that inasmuch as the said Petition asks for Legislative protection for a particular Mill Dam, and as such protection cannot be accorded to that Mill but at the risk of altering a principle of the Common Law of the Land, Your Committee cannot recommend the adoption of any Legislative interference in the matter.

Agreeably to the order of the day, the House went into Committee of Supply. Mr. Hamilton, of Lincoln, in the Chair.

The House resumed. Mr. Hamilton reported progress, and asked leave to sit again to-morrow. Ordered that the Report be received, and leave was granted accordingly.

Agreeably to the order of the day, the College Bill was read the second time.

Dr. Baldwin, seconded by Mr. Jones, moves that the House do now resolve itself into a Committee of the Whole on the College Bill.

In amendment, Mr. Casey, seconded by Mr. Nichol, moves that after the word "resolve" the whole of the original motion be expunged, and "this day three months" inserted. Which was carried.

Agreeably to notice, Mr. Baby, seconded by Mr. Wilmot, moves that an Humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be graciously pleased to extend the time limited for the application of Militia Men for His Majesty's Bounty by grants of Waste Lands, for their services during the late War with the United States; several such Militia Men not having been able to make their claims within the time heretofore limited. Which was carried.

Mr. Baby, seconded by Mr. Willson, moves that Messrs. Hamilton, of Wentworth, and Wilmot be a Committee to frame an Address to His Excellency the Lieutenant Governor on the subject of the Militia Men of this Province. Which was ordered.

Mr. Hamilton, from the Committee to draft an Address to His Excellency the Lieutenant Governor on the subject of Lands to Militia Men, reported a draft, which was received and read the first time.

Mr. Casey, from the Committee to carry up to the Honorable the Legislative Council the Bill intituled "An Act to repeal part of and to amend and extend the provisions of an Act passed in the second year of the Reign of His present Majesty, intituled 'An Act to repeal the Laws now in force relative to the preservation of salmon, and to make further provision respecting the Fisheries in certain parts of this Province, and also to prevent accidents by fire from persons fishing by torch or fire light,'" and to request their concurrence thereto, reported they had done so.

Mr. Baby, seconded by Mr. Gordon, moves that the Address to His Excellency the Lieutenant Governor be now read the second time, and that the fifth Rule of this House be dispensed with as far as relates to the said Address. Which was carried, and the Bill was read the second time.

Mr. Baby, seconded by Mr. Gordon, moves that the House do now resolve itself into a Committee of the Whole to take the said Address into consideration. Which was carried, and Mr. Casey took the chair of the Committee.

The House resumed. Mr. Casey reported the Address as amended. Ordered that the Report be received.

Mr. Baby, seconded by Mr. Gordon, moves that the Address to His Excellency the Lieutenant Governor on the subject of the Militia, be engrossed and read a third time to-day. Which was ordered.

Agreeably to the order of the day, the House went into Committee on McCallum's Petition. Mr. Burwell in the Chair.

The House resumed. Mr. Burwell reported progress, and asked for leave to sit again this day three months. On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Gordon, Pattie, Nichol, Casey, Gates, Hamilton (Lincoln), Kerr, McLean (Stormont), VanKoughnet, Morris, Jones (Leeds), Shaver, Hagerman.

Nays: Messrs. Randal, Willson (Wentworth), Clark, Wilmot, Hamilton (Wentworth), Horner, Walsh, Baldwin, Bostwick, Ruttan, Crooks, Chisholm.

The question was carried in the affirmative by a majority of one, and the Report was received accordingly.

Mr. Crooks gives notice that he will, on to-morrow, move for a Special Commission to take into consideration the Petition of the Inhabitants of the District of Gore and others.

Mr. Baldwin gives notice that he will, on to-morrow, move certain Resolutions whereon to ground an Address to His Excellency the Lieutenant Governor relative to the settlement of the Waste Lands of the Crown.

Mr. Morris, seconded by Mr. VanKoughnet, moves that he have leave of absence from Tuesday next, during the remainder of the Session. Which was granted.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 5th March, 1823.

The House met: Prayers were read: The minutes of yesterday were read.

Mr. Clark, seconded by Mr. Nichol, moves that he have leave to withdraw the Petitions of John P. Clement and Jacob Smith. Which was granted.

Mr. Casey, seconded by Mr. Kerr, moves that he have leave of absence during the remainder of the Session. Which was granted.

Mr. Ruttan, seconded by Mr. Kerr, moves that he have leave of absence during the remainder of the Session. Which was granted.

Agreeably to the order of the day, the House was called. Absent: Messrs. Pattie, Rogers and Burwell.

Agreeably to the order of the day, the Petition of John Petit, Esq., praying for payment for services performed by carrying dispatches during the late War with the United States of America, was read.

Mr. Clark, seconded by Mr. Randal, moves that the Petition of John Petit, Esquire, be referred to a Select Committee, to be composed of Messrs. Willson (Wentworth) and Crooks, and that the said Committee have leave to report by Bill or otherwise. Which was ordered.

Mr. Bostwick, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House, thanking him for his gracious Message, Canal Commissioners' Report, etc., reported they had done so.

Abreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, respecting Lands to Militia Men, was read the third time, passed and signed by the Speaker, and is as follows:

To His Excellency Sir P. Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency:—

We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to address Your Excellency, praying that Your Excellency will be pleased to extend the time limited for the application of Militia Men within this Province for His Majesty's Bounty of Waste Lands for their services during the late War with the United States of America, many such Militia Men not having been able to make their application for such lands within the time limited.

Commons House of Assembly, 5th March, 1823.

LEVIUS P. SHERWOOD, Speaker.

Mr. VanKoughnet, seconded by Mr. Kerr, moves that Messrs. Baby and Walsh be a Committee to wait upon His Excellency the Lieutenant Governor, to know when he will be pleased to receive the Address of this House respecting Militia Lands; and to present the same. Which was ordered.

Agreeably to the order of the day, the House went into Committee of Supply. Mr. Hamilton, of Lincoln, in the Chair.

The House resumed. Mr. Hamilton reported that the Committee had agreed to several Resolutions, which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow. Ordered that the Report be received, and leave was granted accordingly.

The First Resolution was then put and carried, and it was

Resolved, That a supply be granted His Majesty to enable His Majesty to satisfy the following services for the year 1823:

	£	s.	d.
To the administration of justice, including the expenses of a second circuit . . .	1,800	0	0
Lieutenant Governor's Office	1,150	0	0
Receiver General's Office	500	0	0
Surveyor General's Office	1,200	0	0
Executive Council Office	650	0	0
Register and Secretary	400	0	0
Inspector General's Office	420	0	0
Government Printer . . .	150	0	0
Repairs of Government House	200	0	0
Casual and other Expenses	500	0	0
	6,970	0	0

The second Resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Gordon, Nichol, Crooks, Casey, Gates, Ruttan, Burwell, Hamilton (Lincoln), Hagerman, Morris, Bostwick, McLean (Stormont), Shaver, VanKoughnet.

Nays: Messrs. Willson (Wentworth), Clark, Wilmot, Randal, Hamilton (Wentworth), Horner, Baldwin, Chisholm.

The question was carried in the affirmative by a majority of seven, and it was

Resolved, That there be granted annually to His Majesty the sum of Three Hundred and Sixty-five Pounds, to provide a salary for the Adjutant General of the Militia.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Still Admeasurement and Duty Bill, the Cramahe Boundary Bill, and the Bill for the preservation of the Herring Fishery at the outlet of Burlington Bay, which they had passed without amendments; also a Message which, when he had withdrawn, the Speaker read as follows:

Mr. Speaker:—The Honorable the Legislative Council request a conference with the Commons House of Assembly on the subject matter of the Bill intituled "An Act to repeal part of an Act passed in the thirty-third year of His late Majesty's Reign, intituled 'An Act to establish a Court of Probate in this Province and also a Surrogate Court in every District thereof,' also part of an Act passed during the last Session of Parliament, intituled "An Act to reduce into one Act the several Laws now in force establishing District Courts and regulating the practice thereof, and to extend the powers of the said District Courts,' and also part of an Act passed during the present Session, intituled 'An Act to provide for the establishment of Courts in the Districts of Bathurst, and for other purposes therein mentioned,' and also to alter the times of holding the District and Surrogate Courts, and further to extend the powers of the said District Courts," and have appointed a Committee of two Members, who will meet the Committee of the Commons House of Assembly in the Joint Committee Room at three o'clock p.m. to-morrow.

WM. DUMMER POWELL, Speaker.

Leg. Council Chambers, 5th March, 1823.

The third Resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Gordon, Nichol, Crooks, Casey, Gates, Ruttan, Burwell, Hamilton (Lincoln), Hagerman, Morris, Bostwick, McLean (Stormont), Shaver, VanKoughnet.

Nays: Messrs. Willson (Went.), Clark, Wilmot, Randal, Hamilton (Went.), Horner, Baldwin, Chisholm, Walsh.

The question was carried in the affirmative by a majority of six, and it was

Resolved, That a further sum of One Hundred and Fifty Pounds be granted annually to His Majesty, to provide a salary for an Assistant Adjutant General of Militia.

The fourth Resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Gordon, Nichol, Crooks, Casey, Gates, Ruttan, Burwell, Hamilton (Lincoln), Hagerman, Morris, Bostwick, McLean (Stormont), Shaver, VanKoughnet.

Nays: Messrs. Willson (Went.), Clark, Wilmot, Randal, Hamilton (Went.), Horner, Chisholm Walsh.

The question was carried in the affirmative by a majority of seven, and it was

Resolved, That the sum of Eighty-five Pounds be granted annually to His Majesty to defray the contingent expenses of the Adjutant General's Office.

Mr. Hagerman, seconded by Mr. Jones, of Leeds, moves that Messrs. McLean, of Stormont, and Burwell be a Committee to draft Bills agreeably to the Resolutions reported by the Committee of Supply. Which was ordered.

Mr. McLean, from the Committee to draft Bills pursuant to the foregoing Resolutions reported two Bills, viz.: the Supply Bill and the Adjutant General's Bill. Ordered that the Report be received, and the Supply Bill was read the first time.

Mr. McLean, of Stormont, seconded by Mr. Burwell, moves that the Supply Bill be read a second time to-morrow. Which was ordered.

The Adjutant General's Bill was then read the first time.

Mr. McLean, of Stormont, seconded by Mr. Burwell, moves that the Bill be read a second time to-morrow. Which was ordered.

Mr. VanKoughnet, seconded by Mr. Morris, moves that Messrs. McLean, of Stormont, and Messrs. Hagerman, Nichol and Baldwin be a Committee to confer with the Honorable the Legislative Council in accordance with their message of this day. Which was ordered.

Mr. McLean, of Stormont, seconded by Mr. Morris, moves that Messrs. Burwell and VanKoughnet be a Committee to acquaint the Honorable the Legislative Council that this House has acceded to the request for a conference by that Honorable House in their message of this day. Which was ordered.

Mr. Gordon, seconded by Mr. Jones, of Leeds, moves that Mr. Nichol be added to the Committee on the Registry Bill, and that said Committee be ordered to report to-morrow. Which was ordered.

Mr. Hamilton, of Wentworth, gives notice that he will, on to-morrow, move for leave to bring in a Bill for the Relief of Matthew Crooks, of Ancaster, Esq.

Mr. VanKoughnet gives notice that he will, on to-morrow, move for leave to bring in a Bill to amend the Laws now in force regulating the intercourse between this Province and the United States of America.

The House then adjourned till ten o'clock to-morrow.

Thursday, 6th March, 1823.

The House met: Prayers were read: The minutes of yesterday were read.

Agreeably to the order of the day, the House was called. Absent: Messrs. McLean (Stormont), Hagerman, Rogers, Hamilton (Wentworth), Horner, Bostwick and Gordon.

Mr. Wilmot, seconded by Mr. Clark, moves that the Journals of last year so far as relate to the Petition of John Henry be read. Which was carried, and the proceedings were read as follows:

"Dr. Baldwin, seconded by Mr. Chisholm, moves that the Petition of John Henry be referred to Messrs. Ruttan, Rogers and Wilmot, to report upon. Which was ordered."

"Dr. Baldwin, of the Committee to whom was referred the Petition of John Henry, praying for remuneration for repairs done by him to the Highway at the River Rouge, informed the House that the Committee had agreed to a Report, which he was directed to submit whenever the House would be pleased to receive it. Ordered that the Report be now received, and it was read as follows:

"To the Commons of the Province of Upper Canada in Provincial Parliament assembled."

"The Committee to whom was referred the Petition of John Henry, of the Township of Pickering, respectfully beg leave to report,"

"That some of Your Committee have seen the improvement made by the Petitioner on the Hill on the Western side of the River Ouse; we are of opinion that the labour that has been performed by Mr. Henry at that place is a great advantage to the Public, and recommend that the Petitioner be allowed the sum of Twenty-five Pounds out of the Public funds of this Province as a compensation for his labour, when the said amended road shall be established by the Magistrate in Session."

"Mr. Wilmot, seconded by Mr. Robinson, moves that the Report of the Committee, to whom was referred the Petition of John Henry, be referred to the Committee of Supply. Which was ordered."

Mr. Wilmot, seconded by Mr. Baldwin, moves that the Report by the Select Committee on the Petition of John Henry be referred to the Committee of Supply. Which was ordered.

Agreeably to notice, Mr. Jones, of Leeds, seconded by Mr. Pattie, moved that it be

Resolved, That the stay in England of J. B. Robinson, Esq., has been prolonged by order of His Majesty's Ministers for the express purpose of giving such information as he may be enabled to do relative to the interests of this Province whenever the question of the Union of the Provinces shall be again agitated by the Imperial House of Commons.

In amendment Mr. Ruttan, seconded by Mr. Hamilton of Lincoln, moves that the whole of the Resolution after the word "resolved" be expunged, and the following inserted: "That an Humble Address be presented to His Excellency, the Lieutenant Governor, praying that His Excellency will be pleased to dissolve this Parliament."

Agreeably to the order of the day, the Bill to make good certain moneys was read the second time.

Mr. Ruttan, seconded by Mr. Morris, moves that the House do now resolve itself into a Committee of the Whole on the Bill to make good certain moneys. Which was carried, and Mr. Gates took the chair of the Committee.

The House resumed. Mr. Gates reported the Bill as amended. Ordered, that the Report be received.

Mr. Ruttan, seconded by Mr. Morris, moves that the Bill to make good certain moneys be engrossed and read a third time to-morrow. Which was ordered.

Mr. Walsh, from the Committee to which was referred the Registry Amendment Bill, reported several amendments.

Mr. Crooks, seconded by Mr. Randal, moves that the Report of the Select Committee to whom was referred the Registry Amendment Bill, be referred to a Committee of the Whole House on the Registry Bill to-morrow. Which was ordered.

Agreeably to the order of the day, the Province Division Bill was read the second time.

Mr. Nichol, seconded by Mr. Kerr, moves that the House do now resolve itself into a Committee of the Whole on the Province Division Bill. Which was carried, and Mr. Bostwick took the Chair of the Committee.

The House resumed. Mr. Bostwick reported progress, and asked leave to sit again this day three months.

On the question of receiving the report the House divided, and the yeas and nays were taken as follows:

Yeas: Messrs. Pattie, McLean (Stormont), Gordon, Willson (Wentworth), Randal, Hamilton (Wentworth), Wilmot, Baldwin, Horner, Baby, Walsh, Burwell, Hagerman, Bostwick.

Nays: Messrs. Jones (Leeds), Kerr, Clark, Casey, Ruttan, VanKoughnet, Crooks, Chisholm, Hamilton (Lincoln), Nichol, Gates, McDonell.

The question was carried in the affirmative by a majority of two, and leave was granted accordingly.

Mr. Ruttan's amendment to Mr. Jones' of Leeds motion was then put and lost.

Mr. Hagerman, seconded by Mr. McLean of Stormont, moves that the further consideration of the Resolution on the subject of the instructions to the Commissioner in England be deferred to this day three months.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Clark, Willson (Wentworth), Casey, Hamilton (Wentworth), Wilmot, Baldwin, Horner, Baby, Gordon, Ruttan, McLean (Stormont), Hagerman, Walsh.

Nays: Messrs. Jones (Leeds), Kerr, Nichol, Pattie, Randal, Bostwick, Crooks, Chisholm, Burwell, Gates, VanKoughnet, Shaver, McDonell, Hamilton (Lincoln).

The question was carried in the negative by a majority of one, and lost accordingly.

Mr. Crooks, seconded by Mr. Jones of Leeds, moves that all the words in the original motion be expunged after the word "Province." Which was carried.

On the original question as amended being put the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean, Jones (Leeds), Pattie, Nichol, Randal, Casey, Crooks, Kerr, Chisholm, Hamilton (Lincoln), Burwell, Gates, Hagerman, VanKoughnet, Shaver, Bostwick.

Nays: Messrs. Gordon, Clark, Willson (Wentworth), Hamilton (Wentworth), Wilmot, Baby, Baldwin, Horner, Ruttan.

The question was carried in the affirmative by a majority of seven, and ordered accordingly.

Mr. Hagerman, from the Committee to confer with the Conferees of the Honorable the Legislative Council on the subject matter of the Bill intituled "An Act to repeal part of an Act passed in the thirty-third year of His late Majesty's Reign, intituled 'An Act to establish a Court of Probate in this Province, and also a Surrogate Court in every District thereof,' and also part of an Act passed during the last Session of the present Parliament intituled 'An Act to reduce into one Act the several Laws now in force establishing District Courts and regulating the practice thereof, and also to extend the powers of the said District Courts,' and also part of an Act passed during the present Session intituled 'An Act to provide for the establishment of Courts in the District of Bathurst, and for other purposes therein mentioned,' and also to alter the times of holding the District and Surrogate Courts, and further to extend the powers of the said District Courts," reported having met the Conferees of the Honorable the Legislative Council, and recommended a free Conference on the same.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill providing for the publication of Reports of the decisions of His Majesty's Court of King's Bench in this Province which they had passed with some amendments, to which he was requested to ask the concurrence of this House; also a Message, and, having withdrawn, the Speaker read the Message as follows:

Mr. Speaker: The Honorable the Legislative Council request a communication from the Commons House of Assembly of the evidence received by that House in proof of the matter whereon the Bill intituled "An Act for the Relief of George DeLong, George Bates, Hiram Spafford, Alexander Gardner, Thomas Dowseley and James Smith," "An Act for the relief of John P. Clement," and "An Act for the Relief of Jacob Smith," passed by the Commons House of Assembly and by it sent up for the concurrence of this House were founded.

Legislative Council Chamber,
6th March, 1823.

WM. DUMMER POWELL, Speaker.

The amendments made by the Honorable the Legislative Council to the Law Reports Bill were then read as follows:

Press. 1, line 16. After "same" expunge the remainder of the clause and insert "that it shall and may be lawful for a Reporter to be appointed as hereinafter mentioned, the same to be an Officer of the Court and amenable thereto for the correct and faithful discharge of his duty, to submit to the inspection of the Court on the first day of each term a fair report of all the decisions given by the Court and by him noted during the last preceding term, which report, after due examination and correction by the whole Court, shall be signed in open Court by all the Judges present, and from thenceforth shall become an authentic Report of all such decisions."

Press. 4, line 5. After "be" expunge "by them," after "appointed" insert "by the Governor, Lieutenant Governor, or person administering the Government." Line 6. After "as" expunge "they," after "shall" expunge "deem" and insert "be deemed."

Press 4, line 8. After "appointed" expunge "by the said Society" and insert "as aforesaid," after "under" expunge "their" and insert "the." Line 9, after "control" insert "of said Law Society."

Mr. Hagerman, seconded by Mr. McLean, moves that the amendments made by the Honorable the Legislative Council to the Law Reports Bill be read a second time to-morrow. Which was ordered.

Mr. Jones of Leeds, seconded by Mr. Pattie, moves that Messrs. Nichol and Hamilton (Lincoln), be a Committee to carry up to the Honorable the Legislative Council the documents requested to be communicated in their message of this day. Which was ordered.

Mr. Jones of Leeds, seconded by Mr. Pattie, moves that it be Resolved, that it is the duty of the Commons House of Assembly of this Province to cause the said Commissioner Robinson to be instructed in the event of the Union of the Provinces being again agitated in the Imperial Parliament during his stay in England to remonstrate in the most effectual manner in his power upon every proper occasion which may present itself against the adoption of certain clauses contained in a printed Bill as amended by a Committee of the Imperial House of Commons as follows:

The 13th, which relates to the qualification of new Members.

The 16th, to the introduction of Executive Councillors into the House of Assembly.

The 18th, to extending the terms of the duration of Parliament.

The 23rd, to the Privileges of Parliament.

And the 28th, to the continuance of salaries and allowances, and also to remonstrate against any clause whereby the Commons of these Provinces may be deprived of the right which they now possess of raising and appropriating all moneys for the Public Services.

In amendment Mr. Hagerman, seconded by Mr. Burwell, moves that all the words after the word "resolved" be expunged and the following inserted: "That we acknowledge with feelings of the deepest gratitude the paternal regard of Our Sovereign and His Parliament, as evidenced by the attention paid to the Joint Address of the Legislative Council and the House of Assembly transmitted at their last Session to His Majesty, praying relief from embarrassment, pressing and increasing, occasioned by the witholding of our just Revenues by the Sister Province."

Resolved, That we are further impressed with the liveliest sense of the gracious consideration of Our Sovereign in suggesting such comprehensive measures to his Parliament as were best calculated to remove all grounds for future jealousy and misunderstanding between the Sister Colonies, and most conducive to their good government and prosperity.

Resolved, That it appears to us to have been a part of the measures so suggested to unite the Legislatures of the two Provinces, thereby imparting to us a just share in all Colonial deliberations affecting the interests of both Colonies.

Resolved, That it having been judged expedient to reserve this important part of the projected measures for future reconsideration at a future session, we avail ourselves of the opportunity afforded us by the delay to offer at the foot of the Throne our assurances of implicit reliance on the wisdom and justice of Our Beloved Sovereign and His Parliament, confidently assuring ourselves that whatever measures it may please them to adopt they will be such as are best calculated to secure the freedom and promote the prosperity and happiness of His Majesty's Faithful Subjects in Canada.

Resolved, That while we thus express our sincere and unbounded confidence in the justice and liberality of the Government of Our Gracious King, we should

feel ourselves liable to the reproach of ingratitude did we not express our acknowledgments of the happiness we have derived from our Constitution as conferred upon us by the Imperial Parliament in the 31st year of the Reign of Our late lamented and revered Sovereign, and we trust this feeling will be received as an excuse for the hope which we, His Majesty's Faithful Commons of Upper Canada, with humble and respectful deference pray leave to express, that if the contemplated Union be ultimately decided upon, alterations of its provisions in other respects may not form any part of the policy of His Majesty's Government.

On which debates ensued.

The House adjourned.

Friday, 7th March, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Nichol, seconded by Mr. Randal, moves for leave to bring up the Petition of Thomas Markland and others, Merchants, concerned in the forwarding business, and inhabitants of the Town of Kingston. Which was granted, and the Petition brought up.

Mr. Nichol, seconded by Mr. Randal, moves for leave to bring up the Petition of Francis Collins, of the Town of York. Which was granted, and the Petition was brought up.

Agreeably to the order of the day, the House was called.

Absent: Messrs. McLean (Stormont), Rogers, Horner, Walsh, Gordon, Baby and Crooks.

Agreeably to the order of the day, the Bill to make good certain moneys was read the third time.

Mr. Ruttan, seconded by Mr. Kerr, moves that the Bill do now pass, and that it be intituled "An Act to make good certain moneys issued and advanced by His Excellency, the Lieutenant Governor, in pursuance of the Address of the House of Assembly of this Province." Which was carried, and the Bill signed.

Mr. Nichol, seconded by Mr. Randal, moves that the sixth Rule of this House be dispensed with in so far as it relates to the Petition of Thomas Markland and others, and of Francis Collins, and that they be now read. Which was carried.

Agreeably to the order of the day, the Petitions of Thomas Markland and others of the Town of Kingston, praying that measures may be adopted for the procuring the immediate expenditure of a certain sum of money now in the Treasury of the Lower Province in improving the navigation of the River St. Lawrence, and of Francis Collins, praying for the balance of his Account, were read.

Mr. Nichol, seconded by Mr. Randal, moves that the Petition of Thomas Markland and others be referred to a Select Committee, and that Messrs. Hagerman, McLean, Jones and Crooks be appointed to the said Committee. Which was ordered.

Mr. Nichol, seconded by Mr. Randal, moves that two hundred copies of the Petition of Thomas Markland and others be printed. Which was ordered.

Mr. Nichol, seconded by Mr. Randal, moves that the Petition of Francis Collins be referred to a Select Committee to be appointed on the Contingent Accounts of this House. Which was ordered.

Mr. Burwell, seconded by Mr. Hagerman, moves that Messrs. Gates and Hamilton of Lincoln be ordered to carry up to the Honorable the Legislative

Council the Act to make good certain moneys, &c., and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Supply Bill was read the second time.

Mr. Hagerman, seconded by Mr. Burwell, moves that the House do now resolve itself into a Committee of the Whole on the Supply Bill. Which was carried, and Mr. Shaver took the Chair of the Committee.

The House resumed. Mr. Shaver reported the Bill as amended.

The Report was received *nem. con.*

Members present: Messrs. Hamilton (Wentworth), Clark, Nichol, Wilmot, Willson (Wentworth), Randal, Chisholm, Walsh, Burwell, Baby, Pattie, Baldwin, Kerr, Horner, Gates, Crooks, Hagerman, Hamilton (Lincoln), Shaver, Bostwick, McLean (Stormont), Jones (Leeds), Ruttan, Casey, Gordon, McDonell and Van-Koughnet.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Act for the relief of Teachers in the Common Schools of the Niagara District, the Salmon Preservation Bill, and the Act granting to His Majesty a sum of money for the purposes therein mentioned, which they had passed without amendment; also several messages, and withdrew.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Supply Bill be engrossed and read a third time this day, and that the fifth Rule of this House be dispensed with for that purpose. Which was carried.

The Speaker then read the Messages sent down from the Honorable the Legislative Council as follows:

Mr. Speaker: The Honorable the Legislative Council request a communication from the Commons House of Assembly of the evidence received by that House in proof of the matter whereon the Kingston Bank Commissioners Bill, passed by the Commons House of Assembly, and by it sent up for the concurrence of this House, is founded.

Legislative Council Chamber, 7th March, 1823. WM. DUMMER POWELL, Speaker.

Mr. Speaker: The Honorable the Legislative Council request a conference with the Commons House of Assembly on the subject matter of the Bill intituled "An Act to repeal part of an Act passed in the thirty-third year of His late Majesty's Reign intituled 'An Act to establish a Court of Probate in this Province, and also a Surrogate Court in every District thereof,' also part of an Act passed during the last Session of Parliament intituled 'An Act to reduce into one Act the several Laws now in force establishing District Courts and regulating the practice thereof, and also to extend the powers of the said District Courts,' and also part of an Act passed during the present Session intituled 'An Act to provide for the establishment of Courts in the District of Bathurst, and for other purposes therein mentioned,' and also to alter the times of holding the District and Surrogate Courts, and further, to extend the powers of the said District Courts," and have appointed a Committee of two Members, who will be ready to meet a Committee of the Commons House of Assembly for that purpose in the Joint Committee Room at one o'clock to-morrow.

Legislative Council Chamber, 7th March, 1823. WM. DUMMER POWELL, Speaker.

Mr. Nichol, seconded by Mr. Pattie, moves that Messrs. Hagerman and VanKoughnet be a Committee to carry up to the Honorable the Legislative Council the evidence submitted to the House in support of the Kingston Bank Commissioners Bill. Which was ordered.

Mr. Hagerman, seconded by Mr. Bostwick, moves that the request of the Honorable the Legislative Council for a free Conference on the subject of the District and Surrogate Courts Bill be concurred in, and that Messrs. McLean, Baldwin, Burwell and McDonell be a Committee to manage the said Conference. Which was ordered.

Mr. Hagerman, seconded by Mr. McDonell, moves that Messrs. McLean and Gates be a Committee to inform the Honorable the Legislative Council that this House has concurred in the request of that Honorable Body for a Confernece on the subject matter of the District and Surrogate Courts Bill. Which was ordered.

Mr. Gates, from the Committee to carry up to the Honorable the Legislative Council the Act to make good certain moneys, &c., and to request their concurrence thereto, reported they had done so.

Mr. Nichol, from the Committee to carry up to the Honorable the Legislative Council the minutes of evidence taken by this House on which the Acts for the relief of J. P. Clement and George DeLong *et al* were founded, reported they had done so.

Agreeably to the order of the day, the Peterson Relief Bill was read the second time.

Mr. Hamilton of Lincoln, seconded by Mr. Gates, moves that the House do now resolve itself into a Committee of the Whole on the Bill for the Relief of William Peterson of Niagara. Which was carried, and Mr. Gates took the Chair of the Committee.

The House resumed. Mr. Gates reported the Bill without Amendment. Ordered, that the Report be received.

Mr. Hamilton of Lincoln, seconded by Mr. Burwell, moves that the Bill for the Relief of William Peterson be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee of Supply, Mr. Hamilton of Lincoln in the Chair.

The House resumed. Mr. Hamilton reported that the Committee had agreed to several Resolutions, which he was directed to submit for the adoption of the House. Ordered, that the Report be received.

The first Resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hamilton (Wentworth), Clark, Nichol, Wilmot, Willson (Wentworth), Randal, Chisholm, Walsh, Burwell, Baby, Pattie, Baldwin, Kerr, Horner, Gates, Crooks, Hamilton (Lincoln), Shaver, Bostwick, McLean (Stormont), Hagerman.

Nays: Messrs. Jones (Leeds), Ruttan, Casey, Gordon, VanKoughnet.

The question was carried in the affirmative by a majority of sixteen, and it was

Resolved, 1st, That a Supply be granted to His Majesty in aid of such funds as may be appropriated by the Imperial Parliament towards compensating His Majesty's subjects in this Province for losses sustained by them during the late War with the United States.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message, and, having withdrawn, the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council request a communication from the Commons House of Assembly of the evidence received by that House in proof of the matter whereon the Bill intituled "An Act to authorize the Justices of the Peace in the District of Johnstown in General Quarter Session assembled to lay and collect an additional assessment and rate for the purpose of building a bridge across Yonge Creek," passed by the Commons House of Assembly, and by it sent up for the concurrence of this House.

Legislative Council Chamber, 7th March, 1823. WM. DUMMER POWELL, Speaker.

The second Resolution was then put, on which the House divided, and the yeas and nays were taken as follows:

Yeas: Messrs. Hamilton (Wentworth), Clark, Nichol, Wilmot, Willson (Wentworth), Randal, Chisholm, Burwell, Baby, Pattie, Baldwin, Kerr, Horner, Gates, Crooks, Hagerman, Hamilton (Lincoln), Shaver, Bostwick.

Nays: Messrs. Jones (Leeds), Ruttan, Casey, Gordon, VanKoughnet, Walsh.

The question was carried in the affirmative by a majority of thirteen, and it was

Resolved, 2nd, That it is expedient to raise the sum of Fifty Thousand Pounds Sterling by Loan, to be applied to the said object.

The third Resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hamilton (Wentworth), Clark, Randal, Wilmot, Willson, (Wentworth), Nichol, Chisholm, Burwell, Baby, Pattie, Baldwin, Kerr, Horner, Gates, Crooks, Hagerman, Hamilton (Lincoln), Shaver, Bostwick.

Nays: Messrs. Jones (Leeds), Ruttan, Casey, Gordon, VanKoughnet, Walsh.

The question was carried in the affirmative by a majority of thirteen, and it was

Resolved, 3rd, That it is expedient to provide the annual sum of Two Thousand Five Hundred Pounds Sterling for the payment of the interest until the said Loan shall be redeemed.

The fourth Resolution was then put.

Mr. Hagerman, seconded by Mr. Gordon, moves that the further consideration of the Resolution relative to the Chaplain of this House, reported by the Committee of Supply, be postponed until to-morrow. Which was carried.

Mr. Nichol, seconded by Mr. Hamilton of ————, moves that Messrs. Hagerman and McLean be ordered to draw up a Bill authorizing the said Loan, and providing for the payment of the interest, in conformity to the Resolutions of this House. Which was ordered.

Mr. Clark, seconded by Mr. Wilmot, moves that Messrs. Jones of Leeds and McLean of Stormont be a Committee to communicate to the Honorable the Legislative Council the evidence requested in their message of this day relative to the Yonge Creek Bridge Bill. Which was ordered.

Agreeably to the order of the day, the Supply Bill was read the third time.

Mr. Hagerman, seconded by Mr. McLean, moves that the Bill do now pass, and that it be intituled "An Act granting to His Majesty a sum of money to

defray certain charges of the Administration of Justice and support of the Civil Government of this Province." Which was carried, and the Bill signed.

Mr. Hagerman, seconded by Mr. Gates, moves that Messrs. Nichol and Burwell be a Committee to carry up to the Honorable the Legislative Council the Supply Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Orange Club Bill was read the second time.

Dr. Baldwin, seconded by Mr. Willson of Wentworth, moves that the House do now resolve itself into a Committee of the Whole on the Orange Club Bill.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Jones (Leeds), Hamilton (Wentworth), Clark, Randal, Wilmot, Willson (Wentworth), Baby, Baldwin, Horner, Casey, Crooks, Gordon, Hagerman, Hamilton (Lincoln).

Nays: Messrs. Chisholm, Pattie, Kerr, Burwell, Ruttan, Gates, Shaver, Bostwick, Walsh.

The question was carried in the affirmative by a majority of six, and Mr. Walsh was called to the Chair of the Committee.

The House resumed. Mr. Walsh reported the Bill without amendment.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hamilton (Wentworth), Clark, Nichol, Randal, Wilmot, Willson (Wentworth), Baby, Horner, Gordon, Baldwin, Jones (Leeds), Hagerman, Crooks, Casey.

Nays: Messrs. Chisholm, Pattie, Ruttan, Kerr, Burwell, Hamilton (Lincoln), VanKoughnet, Shaver, Walsh, Bostwick.

The question was carried in the affirmative by a majority of four, and the Report was received accordingly.

Dr. Baldwin, seconded by Mr. Willson of Wentworth, moves that the Orange Club Bill be engrossed and read a third time to-morrow.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hamilton (Wentworth), Clark, Nichol, Randal, Wilmot, Willson (Wentworth), Baby, Horner, Gordon, Baldwin, Jones (Leeds), Hagerman, Crooks, Casey.

Nays: Messrs. Chisholm, Pattie, Ruttan, Kerr, Burwell, Hamilton (Lincoln), VanKoughnet, Shaver, Walsh, Bostwick.

The question was carried in the affirmative by a majority of four, and the Bill was ordered to be engrossed and read accordingly.

Mr. Hagerman, seconded by Mr. Burwell, moves that Messrs. Gordon and Baby have leave of absence for the remainder of the Session. Which was granted.

Mr. Nichol gives notice that he will, on Monday next, move for leave to bring in a Bill for the appointment of Commissioners to investigate the claims of certain Inhabitants of this Province for losses sustained by them during the late War with the United States of America.

Mr. Nichol gives notice that he will, on Monday next, move certain Resolutions on the subject of general retrenchment in the expenditure of this Province.

The House then adjourned till ten o'clock to-morrow.

Saturday, 8th March, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the House was called.

Absent: Messrs. Hagerman, Rogers and Kerr.

Agreeably to the order of the day, Peterson's Relief Bill was read the third time.

Mr. Hamilton of Lincoln, seconded by Mr. Gates, moves that the Bill do now pass, and that it be intituled "An Act for the Relief of William Peterson." Which was carried, and the Bill signed.

Mr. Burwell, seconded by Mr. VanKoughnet, moves that Messrs. Hamilton of Lincoln and Chisholm be a Committee to carry up to the Honorable the Legislative Council the Peterson Relief Bill, and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Orange Club Bill was read the third time.

Mr. Baldwin, seconded by Mr. Horner, moves that the Bill do now pass, and that it be intituled "An Act for the better preserving the Peace."

In amendment Mr. Casey, seconded by Mr. Walsh, moves that the Orange Club Bill be now re-committed. Which was lost.

On the original question the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean (Stormont), Jones (Leeds), Nichol, Clark, Willson (Wentworth), Randal, Hamilton (Wentworth), Wilmot, Horner, Baldwin, Crooks, McDonell.

Nays: Messrs. Pattie, Kerr, Casey, Ruttan, Walsh, Chisholm, Gates, Burwell, Hamilton (Leeds), Bostwick, VanKoughnet, Shaver.

The question was decided in the negative by the casting vote of the Speaker, and lost accordingly.

Agreeably to the order of the day, the District Attorney's Bill was read the second time.

Mr. Willson of Wentworth, from the Committee to whom was referred the Petition of Daniel Harris, reported a Bill, which was received and read the first time.

Mr. Willson of Wentworth, seconded by Mr. Crooks, moves that the Bill for securing to Daniel Harris the benefit and exclusive privilege of his invention for manufacturing Pot and Pearl Ashes be read a second time on Monday next. Which was carried.

Mr. Baldwin, from the Committee to whom was referred the Petition of Valentine Gill, Esq., informed the House that the Committee had agreed to a Report, which was received and read as follows:

The Committee of your Honorable House to whom was referred the Petition of Mr. Valentine Gill humbly report that your Committee could not interfere with that discretionary power necessarily vested in the Gentlemen forming the Board of Canal Commissioners over the engineers and others employed by them in the several duties of their Commission.

But as Mr. Gill has executed a map of the Country embracing the environs of Burlington Bay and the Head of the Lake, which, though not within the meaning of the duties prescribed by the Commissioners to Mr. Gill, is nevertheless

retained by them as in some respects useful to the objects of that Board, your Committee think that Mr. Valentine Gill may with propriety be paid the value thereof at the sum of £33. Your Committee also think that he should be allowed his time and expenses when attending the Board at York, thus his attendance for nine days, £11 5s and expenses £3 11s.

And that upon Mr. Gill's giving the Commissioners plans of the sections and levels made by him for their use he should receive the above sum, amounting in the whole to £47 16s.

All of which is respectfully submitted.

W. W. BALDWIN, Chairman.

Mr. Randal, from the Committee to whom was referred the Petition of John Hardy, informed the House that the Committee had agreed to a Report, which was received and read as follows:

Your Committee, having inquired into the allegations set forth in the Petition of John Hardy and documents in support of the same, are of opinion that they are correct, and that the said John Hardy is of the description of person intended by His Majesty's Government to be placed on the U. E. List, and that his name was without his knowledge expunged from the same.

Your Committee therefore recommend that their Chairman be permitted to move that it be resolved that an Humble Address be presented to His Excellency, the Lieutenant Governor, founded on the prayer of the said Petition.

Committee Room,
March 6th, 1823.

R. RANDAL, Chairman.

Mr. Randal, seconded by Mr. Clark, moves that the Report on the Petition of John Hardy be concurred in, and that Messrs. Nichol and Willson be a Committee to draft an Address to His Excellency, the Lieutenant Governor, on the subject of the said Petition.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hamilton (Lincoln), Pattie, Clark, Nichol, Randal, Willson (Wentworth), Hamilton (Wentworth), Wilmot, Horner, Baldwin, Casey, Ruttan, Gates, Crooks, Kerr, Bostwick.

Nays: Messrs. Jones (Leeds), Hagerman, VanKoughnet, McDonell, Burwell, Shaver, McLean (Stormont).

The question was carried in the affirmative by a majority of nine, and ordered accordingly.

Mr. Nichol, from the Committee to present an Address to His Excellency, the Lieutenant Governor, on the Report of the Select Committee on Hardy's Petition, reported a draft, which was received and read the first time.

Mr. Randal, seconded by Mr. Willson, moves that the fifth Rule of this House be dispensed with in so far as relates to the Address to His Excellency, the Lieutenant Governor, and that it be now read a second time. Which was carried, and the Address was read the second time.

Mr. Walsh, from the Committee to wait upon His Excellency, the Lieutenant Governor, with the Address of this House on the subject of Militia Lands, reported delivering the same, and that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly: Possessed of My Sovereign's pleasure respecting the distribution of the boon which I have most earnestly solicited at his gracious hands in behalf of a gallant and loyal set of men, it was carried into effect under my orders with particular attention and indulgence, which is still extended to special and satisfactory pleas, yet I trust so moderated by discretion as not to suffer the Royal Bounty to be dishonored by indifference or neglect.

Of these circumstances I think on an occasion like the present it is proper that I should remind you when without any acknowledgment of what has been done, without anything brought before me which ought to influence me in such a measure, I am called upon in the barren form indeed of a request to annul a deliberate and well-considered decision of my own, publicly recorded in the orders issued by my command in my capacities of Lieutenant Governor and His Majesty's Captain General of this Colony.

Placed in this extraordinary situation, I am compelled to express my regret that I cannot in the present instance enjoy the gratification which you may be assured I shall always experience when my duty and that proper respect which I owe to my situation shall not forbid me to assent to any request with which the House of Assembly may think it expedient to put it in my power to comply.

Mr. Randal, seconded by Mr. Clark, moves that the Address to His Excellency, the Lieutenant Governor, on the subject of John Hardy's Petition be concurred in, and that it be engrossed and read a third time on Monday next.

In amendment Mr. Ruttan, seconded by Mr. Gates, moves that all the words in the original motion after the word "treat" be expunged and the following inserted, "the House do now resolve itself into a Committee of the Whole on the Address to His Excellency, the Lieutenant Governor. Which was lost.

The original question was then carried and ordered.

Mr. Hagerman, seconded by Mr. Burwell, moves that the District Attorney's Bill be now referred to a Committee of the Whole. Which was carried, and Mr. Gates took the Chair of the Committee.

The House resumed. Mr. Gates reported the Bill as amended.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Willson (Wentworth), McLean (Stormont), Jones (Leeds), Hamilton (Wentworth), Gates, Burwell, Hamilton (Lincoln), Hagerman, McDonell.

Nays: Messrs. Randal, Chisholm, Clark, Walsh, Baldwin, Kerr, Casey, Ruttan, VanKoughnet, Bostwick.

The question was carried in the affirmative by the casting vote of the Speaker, and the Report was received accordingly.

Mr. Hagerman, seconded by Mr. McDonell, moves that the District Attorney Bill be engrossed and read a third time on Monday. Which was ordered.

Agreeably to notice, Mr. Baldwin, seconded by Mr. Hamilton of Wentworth, moves that it be

Resolved, 1st, That Immigration into this Province is of the highest importance, and deserves encouragement in every possible way.

Resolved, 2nd, That the circumstances of extending immigration into this Province having now become an object of contemplation with His Majesty's Government, it is the indispensable duty of this House to express its opinion on certain matters connected with this important subject as a source of information which this House presumes will be highly acceptable to His Majesty's Government.

Resolved, 3rd, That immigration has been retarded and diverted from this Province by the great increase for fees for grants of land.

Resolved, 4th, That the benefits of immigration are further greatly limited by the nature of the present system of location, whereby numbers of poor people are seated down on portions of land distant from each other, and remote from Mills and Roads, so necessary for the comfort of Settlers.

Resolved, 5th, That the want of men of capital with its usual advantages of superior education, influence and example living amongst the new Settlers is a peculiar disadvantage to this Province.

Resolved, 6th, That these inconveniences would be greatly if not entirely removed by the granting of Townships or other large tracts to persons of capital undertaking the settlement thereof on reasonable terms, of making roads, building mills, providing smith's forges and tools, and other accessories requisite to such settlements.

Resolved, 7th, That the reservation of two-sevenths of the lands, the one for the support of a Protestant Clergy, the other under the denomination of Crown Reserves, has a most injurious effect upon the settlement and prosperity of the Province by reason of the separation it occasions between poor settlers, the neglect of the roads, and the frequent non-occupation of the best Mill Seats. The reservation for the Clergy being made by law this House does not suggest any change therein, but the other seventh, reserved by order of His Majesty's Government, would, if granted to settlers, greatly improve the country, and in effect be more beneficial to the Government by the general prosperity it would give throughout the settlements.

Resolved, 8th, That the Crown Reserves, by reason of their divided and scattered positions, offer no field for the expenditure of any useful capital. They remain now as at first, only fit for the occupation of the poor or laborious settler.

Resolved, 9th, That the lands in Upper Canada form a safe foundation for the expenditure of capital, but as capital must necessarily be concentrated in order to be useful the division of the Townships into two-sevenths of Reservations, a small proportion unfit for settlement and the rest in locations half perhaps occupied, the other half unoccupied, render it wholly impossible that any capital can be embarked in the purchase and improvement of large tracts.

Resolved, 10th, That a tract of two hundred acres of land is a very moderate quantity for an industrious man with a family, that less is scarcely worth his occupation, that fifty acres is so inadequate to the hopes of an industrious farmer that he could not with prudence accept it.

Resolved, 11th, That an Humble Address be presented to His Excellency, the Lieutenant Governor, accompanied by these Resolutions, requesting him to graciously please to forward the same to His Majesty's Secretary of State for the Colonies, together with His Excellency's favorable recommendation thereof.

On which debates ensued.

Mr. Hagerman, seconded by Mr. Burwell, moves that the debate be adjourned to Tuesday next. Which was ordered.

Agreeably to the order of the day, the Surrender of Church Lands Bill was read the second time.

Mr. Hagerman, seconded by Mr. Burwell, moves that the House do now resolve itself into a Committee of the Whole on the Church Lands Surrender Bill. Which was carried, and Mr. Shaver took the Chair of the Committee.

The House resumed. Mr. Shaver reported the Bill without amendment. Ordered, that the Report be received.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Church Lands Surrender Bill be engrossed and read a third time on Monday next. Which was ordered.

Mr. Willson of Wentworth, seconded by Mr. Hamilton of Wentworth, moves that Mr. Chisholm have leave of absence till Friday next. Which was granted.

Agreeably to notice, Mr. Ruttan, seconded by Mr. Gates, moves for leave to bring in a Bill to appropriate a sum of money for obtaining a standard for weights and measures, and for other purposes therein mentioned. Which was carried, and the Bill read.

Mr. Ruttan, seconded by Mr. Casey, moves that the Weights and Measures Standard Bill be read a second time on Monday. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Burwell, moves that it be resolved that an Humble Address be presented to His Excellency, the Lieutenant Governor, requesting His Excellency to procure for the information of this House a Statement of the dutiable articles imported into the Port of Quebec for the years 1819, 1820, 1821 and 1822; also an account in detail of the gross duties collected on such articles in each of the said years, distinguishing the amounts collected under the several Acts imposing the said duties, and the sums charged for collecting the same. Which was carried.

Resolved also, That His Excellency be requested to direct accounts of the same for future years to be laid before this House. Which was carried.

Also a general statement of the Internal Revenue of this Province for the same periods. Which was carried.

Agreeably to notice, Mr. Hamilton of Lincoln, seconded by Mr. Gates, moves that he have leave to bring in a Bill to amend and continue in part an Act passed in the fifty-ninth year of His Majesty's Reign for the establishing a Police in the Town of Niagara. Which was carried, and the Bill read.

Mr. Hamilton of Lincoln, seconded by Mr. Gates, moves that the Niagara Police Bill be now read a second time, and that the fifth Rule of this House be dispensed with in so far as relates to the same. Which was carried, and the Bill read the second time.

Mr. Hamilton of Lincoln, seconded by Mr. Gates, moves that the House do now resolve itself into a Committee of the Whole on the Niagara Police Bill. Which was carried, and Mr. Gates took the Chair of the Committee.

The House resumed. Mr. Gates reported the Bill as amended. Ordered, that the Report be received.

Mr. Hamilton of Lincoln, seconded by Mr. Gates, moves that the Niagara Police Bill be engrossed and read a third time on Monday. Which was ordered.

Mr. Nichol, seconded by Mr. Burwell, moves that Messrs. Hagerman and McLean be ordered to prepare an Address to His Excellency, the Lieutenant Governor, pursuant to the Resolution of this House. Which was ordered.

Agreeably to the order of the day, the amendments to the Devisee Bill were read the second time and the first and second amendments concurred in.

On the reading of the third amendment, Mr. McLean of Stormont, seconded by Mr. Hagerman, moved that a Conference be requested with the Honorable the Legislative Council on the amendments to the Devisee Bill. Which was lost.

On the question for concurrence in the third amendment the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Randal, Willson (Wentworth), Horner, Hamilton (Wentworth), Walsh, Casey, Ruttan, Hamilton (Lincoln), Burwell, Nichol, Bostwick.

Nays: Messrs. Jones (Leeds), Clark, McLean (Stormont), Kerr, Gates, Hagerman, VanKoughnet, Shaver.

The question was carried in the affirmative by a majority of three, and the amendments signed by the Speaker.

Mr. Walsh, seconded by Mr. Hamilton of Wentworth, moves that Messrs. Willson of Wentworth, and Ruttan be a Committee to acquaint the Honorable the Legislative Council that this House has concurred in the amendments made by that Honorable Body to the Devisee Bill. Which was ordered.

Agreeably to the order of the Day, the Adjutant General's Bill was read the second time.

Mr. Hagerman, seconded by Mr. Nichol, moves that this House do now resolve itself into a Committee of the Whole on the Adjutant General's Bill. Which was carried, and Mr. Horner took the Chair of the Committee.

The House resumed. Mr. Horner reported the Bill without amendment.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), McLean (Stormont), Casey, Ruttan, Hamilton (Lincoln), Gates, Burwell, Hagerman, VanKoughnet, Nichol, Shaver, Bostwick.

Nays: Messrs. Clark, Kerr, Willson (Wentworth), Randal, Hamilton (Wentworth), Horner, Walsh.

The question was carried in the affirmative by a majority of five, and the Report received accordingly.

Mr. Hagerman, seconded by Mr. Nichol, moves that the Adjutant General's Bill be engrossed and read a third time on Monday. Which was ordered.

Agreeably to notice, Mr. VanKoughnet, seconded by Mr. McLean, moves for leave to bring in a Bill to amend the Laws now in force regulating the intercourse between this Province and the United States of America. Which was granted, and the Bill read.

Mr. VanKoughnet, seconded by Mr. Hamilton of Lincoln, moves that the Intercourse Amendment Bill be read a second time on Monday next. Which was ordered.

The House then adjourned till ten o'clock on Monday.

Monday, 10th March, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the House was called.

Absent: Messrs. Rogers, Clark, Horner, Bostwick and Willson of Wentworth.

Agreeably to the order of the day, the Address to His Excellency, the Lieutenant Governor, on the subject of Hardey's Petition was read the third time.

Mr. Hagerman, seconded by Mr. McLean, moves that the Address to His Excellency, the Lieutenant Governor, be re-committed this day three months.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Walsh, Jones (Leeds), Kerr, Casey, Burwell, Hagerman, VanKoughnet, McDonell, Shaver, McLean (Stormont), Bostwick.

Nays: Messrs. Pattie, Randal, Willson (Wentworth), Baldwin, Hamilton (Wentworth), Wilmot, Gates.

The question was carried by a majority of five, and it was ordered accordingly.

Agreeably to the order of the day, the District Attorney's Bill was read the third time.

Mr. Nichol, seconded by Mr. McDonell, moves that the District Attorney Bill be re-committed. Which was carried, and Mr. Gates took the Chair of the Committee.

The House resumed. Mr. Gates reported the Bill as amended. Ordered, that the Report be received.

Mr. Hagerman, seconded by Mr. Burwell, moves that the District Attorney Bill be engrossed and read a third time this day, and that the fifth Rule of this House be dispensed with for that purpose. Which was ordered.

Agreeably to the order of the day, the Surrender of Church Lands Bill was read the third time.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Bill do now pass, and that it be intituled "An Act to authorize the Rector and Church Wardens of St. George's Church, Kingston, to surrender certain lands therein mentioned." Which was carried, and the Bill signed.

Mr. Hagerman, seconded by Mr. McDonell, moves that Messrs. Burwell and McLean be a Committee to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Adjutant General's Bill was read the third time.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Bill do now pass, and that it be intituled "An Act to provide a salary for the Adjutant General of Militia in this Province, and for other purposes therein mentioned."

In amendment Mr. Casey, seconded by Mr. Clark, moves that the following be added as a Rider:

"And be it further enacted by the authority aforesaid that this Act shall be and is hereby declared to be in force for and during the term of four years, and from thence to the end of the then next ensuing Session of Parliament, and no longer."

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Pattie, Willson (Wentworth), Randal, Wilmot, Casey, Baldwin, Clark, Kerr.

Nays: Messrs. Shaver, Nichol, Jones (Leeds), Gates, Ruttan, Hamilton (Lincoln), McLean (Stormont), Burwell, Hagerman, VanKoughnet, McDonell, Bostwick.

The question was decided in the negative by a majority of four, and lost accordingly.

On the original question the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Shaver, Nichol, Jones (Leeds), Ruttan, Hamilton (Lincoln), McLean (Stormont), Burwell, Hagerman, VanKoughnet, McDonell, Bostwick.

Nays: Messrs. Pattie, Willson (Wentworth), Randal, Wilmot, Casey, Baldwin, Clark, Kerr.

The question was carried in the affirmative by a majority of four, and the Bill was signed.

Mr. Burwell, seconded by Mr. Hamilton of Lincoln, moves that Messrs. Nichol and Hagerman be ordered to carry up to the Honorable the Legislative

Council the Bill providing a Salary for the Adjutant General and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Niagara Police Bill was read the third time.

Mr. Hamilton of Lincoln, seconded by Mr. Kerr, moves that the Bill do now pass, and that it be intituled "An Act to continue in part and amend an Act passed in the fifty-ninth year of His late Majesty's Reign intituled 'An Act to establish a Police in the Town of Niagara in the Niagara District,' and for other purposes therein mentioned." Which was carried, and the Bill signed.

Mr. Burwell, seconded by Mr. Hagerman, moves that Messrs. Hamilton of Lincoln, and Kerr be a Committee to carry the Niagara Police Bill up to the Honorable the Legislative Council and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the House went into Committee of Supply, Mr. Gates in the Chair.

The House resumed. Mr. Gates reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House. Ordered, that the Report be received.

The Resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean (Stormont), Pattie, Nichol, Willson (Wentworth), Randal, Horner, Hamilton (Wentworth), Wilmot, Bostwick, Clark, Kerr, Jones (Leeds), McDonell, Hamilton (Lincoln), Burwell, Gates.

Nays: Messrs. Walsh, Shaver, Ruttan, Casey, VanKoughnet, Hagerman.

The question was carried in the affirmative by a majority of ten, and it was

Resolved, That it is expedient to provide an additional fund for obtaining surveys and plans for the improvement of the inland navigation of this Province. That the sum of One Thousand Pounds be appropriated towards this object.

Mr. Nichol, seconded by Mr. McLean, moves that Messrs. Jones and McDonell be ordered to prepare a Bill in pursuance of the Resolutions of the Committee of Supply. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Registry Bill, Mr. Willson of Wentworth in the Chair.

The House resumed. Mr. Willson reported the Bill as amended. Ordered, that the Report be received.

Mr. Casey, seconded by Mr. Ruttan, moves that the Registry Amendment Bill be engrossed and read a third time on to-morrow. Which was ordered.

Agreeably to the order of the day, the District Attorney Bill was read the third time.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Bill do now pass, and that it be intituled "An Act to authorize the appointment of District Attorneys, and to regulate the Fees of Justices of the Peace and Clerks of the Peace within this Province."

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Kerr, Nichol, Randal, Hamilton (Wentworth), Wilmot, Willson (Wentworth), Jones (Leeds), Ruttan, Gates, Hamilton (Lincoln), Shaver, Hagerman, McDonell, McLean (Stormont), Bostwick.

Nays: Messrs. Clark, Horner, Walsh, Casey, Baldwin, VanKoughnet.

The question was carried in the affirmative by a majority of nine, and the Bill was signed.

Mr. Hagerman, seconded by Mr. McDonell, moves that Messrs. Burwell and McLean be a Committee to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council in and to the Law Reports Bill were read the second time.

Mr. Hagerman, seconded by Mr. VanKoughnet, moves that a Conference be requested with the Honorable the Legislative Council on the subject of the said amendments, and that Messrs. McLean and Burwell be a Committee to request said Conference. Which was carried.

Mr. Hagerman, seconded by Mr. McLean, moves for leave to bring in a Bill to provide a Pension for the Reverend Chaplain of this House, and that the fifth Rule of this House be dispensed with for that purpose. Which was carried, and the Bill read the first time.

Mr. Hagerman, seconded by Mr. VanKoughnet, moves that the Bill granting a pension to the Reverend the Chaplain be read a second time this day. Which was carried, and the Bill was read the second time.

Mr. Hagerman, seconded by Mr. VanKoughnet, moves that the Chaplain's Pension Bill be now referred to a Committee of the Whole House. Which was ordered, and Mr. Bostwick took the Chair of the Committee.

The House resumed. Mr. Bostwick reported the Bill as amended.

On the question for receiving the Report the House divided, and the yeas and nays were taken as follows:

Yeas: Messrs. Kerr, Nichol, Clark, Wilmot, Hamilton (Wentworth), Walsh, Gates, McLean (Stormont), VanKoughnet, Hamilton (Lincoln), Hagerman, Bostwick, Ruttan.

Nays: Messrs. Randal, Horner, Willson (Wentworth), Jones (Leeds), Shaver, Casey.

The question was carried by a majority of seven, and the Report received accordingly.

Mr. Hagerman, seconded by Mr. VanKoughnet, moves that the Chaplain's Pension Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. McLean of Stormont, from the Committee to confer with the Conferees of the Honorable the Legislative Council on the subject matter of the District Courts Bill, reported as follows:

The Committee appointed by the House to confer with the Conferees of the Honorable the Legislative Council on the subject matter of the Bill intituled "An Act to repeal part of an Act passed in the thirty-third year of His Majesty's Reign intituled 'An Act to establish a Court of Probate in this Province and also a Surrogate Court in every District thereof,' also part of an Act passed in the last Session of the present Parliament intituled 'An Act to reduce to one Act the several Laws now in force establishing District Courts and regulating the practice thereof, and also to extend the powers of the said District Courts,' and also part of an Act passed during the present Session intituled 'An Act to provide for the establishment of Courts in the District of Bathurst, and for other purposes therein mentioned,' and also to alter the times of holding the said District and Surrogate Courts, and further to extend the powers of the said District Courts," met the Conferees on the part of that Honorable House, when the following amendments to the aforementioned Bill were by them proposed:

In the second Clause to expunge the words "the several days upon" and insert "the Monday of the Week in." The effect of this amendment would be that

the several District and Surrogate Courts shall commence on the Monday of the week in which the Quarter Sessions shall be held. It was also proposed to insert at the end of the clause the following words: "and the Judge presiding in each of the said District Courts shall make his precept for summoning the Jury returned in the first day of each term respectively; provided, always, that no Jury summoned to attend any District Court in this Province shall be required or obliged to attend at such Court for a longer period than one week."

In the third Clause it was proposed to insert the words, "the expiration of six weeks," and to expunge the words "any time." This amendment, if adopted, would give defendants a period of six weeks after verdict rendered before any judgment could be entered up.

It was proposed to expunge the fifth Clause and in its stead to insert "And be it further enacted by the authority aforesaid that it shall and may be lawful for any Plaintiff or Defendant in any action now pending or hereafter to be brought in any District Court in this Province, to sue out a writ or writs of subpœna as occasion may require from the Office of the Clerk of the Crown or Deputy Clerk of the Crown in any District in this Province to compel the attendance of any Witness or Witnesses resident out of the Jurisdiction of the District Court in which such action shall be brought or pending to give evidence at the trial of such action. Which Writ or Writs of subpœna shall be as effectual and the person or persons disobeying the same shall be liable to the same penalties as if the said action had been commenced and prosecuted in His Majesty's Court of King's Bench in this Province, and the said Court of King's Bench shall have power and authority to proceed against the person or persons disobeying the said Writ or Writs of subpœna as in other cases of contempt."

Your Committee consented to recommend the proposed amendments with the exception of that to the third clause to the adoption of this Honorable House.

Your Committee were induced to withold their consent to the amendment proposed to the third Clause by the consideration that if adopted it would give to the Defendants a period of six weeks more than according to the existing Laws they are entitled to before execution could be issued against them.

All of which is respectfully submitted.

Arch. McLean, Chairman.

Mr. Willson of Wentworth, from the Committee appointed to wait upon the Honorable the Legislative Council with a Message acquainting them that this House had concurred in the amendments made by them in and to the Devisee Bill, reported having done so.

Mr. Wilmot, from the Committee to whom was referred the Petition of the Inhabitants of Durham, informed the House that the Committee had agreed to a Report, which was received and read as follows:

Your Committee ordered to report upon the Petitions of the Inhabitants of the County of Durham, and Joseph Losee and others of Whitby, respectively, respectfully beg leave to report:

That however desirable it might be to grant the Petitioners a sum of money for the repair of the highways set forth in their Petition, yet in the present low state of the Public Funds of the Province they cannot justify themselves in recommending the prayers of the Petitioners to the favorable consideration of your Honorable House.

Samuel S. Wilmot, Chairman.

Agreeably to notice, Mr. Nichol, seconded by Mr. Kerr, moves that it be

Resolved 1st, That since the first organization of the Provincial Government the salaries and other allowances of the Officers and Clerks of the several Executive Departments have been considerably augmented.

Resolved 2nd, That although unacquainted with the cause of such augmentation, we believe it to have been in consequence of the depreciated value of money, and consequent high prices of commodities.

Resolved 3rd, That the same cause no longer exists, and therefore it is expedient that the said salaries and allowances should be reduced to their original amount, or as nearly as may be found practicable to the scale authorized previous to the year 1796. Which was carried.

Resolved 4th, That an Humble Address be presented to His Excellency, the Lieutenant Governor, founded on the foregoing Resolutions, and praying His Excellency to take the subject into his serious consideration, and thereupon to direct such reduction in the Public Expenditure as may be deemed practicable to be made. Which was carried.

Mr. Nichol, seconded by Mr. Shaver, moves that Messrs. Jones and Burwell be directed to draw up an Address to His Excellency, the Lieutenant Governor, pursuant to the Resolutions of this House. Which was ordered.

Agreeably to the order of the day, Harris's Patent Bill was read the second time.

Mr. Willson of Wentworth, seconded by Mr. Horner, moves that the House do now resolve itself into a Committee of the Whole on Harris's Patent Bill. Which was carried, and Mr. Randal took the Chair of the Committee.

The House resumed. Mr. Randal reported the Bill as amended. Ordered that the Report be received.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message, and, having withdrawn, the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have agreed to a conference on the subject matter of the amendment made by this House in and to the Bill intituled "An Act providing for the publication of Reports of the Decisions of His Majesty's Court of King's Bench in this Province," and have appointed a Committee of two Members who will be ready to meet a Committee of the Commons House of Assembly for that purpose in the Joint Committee Room at eleven o'clock a.m. to-morrow.

Legislative Council Chamber,
10th March, 1823.

WM. DUMMER POWELL, Speaker.

Mr. Kerr, seconded by Mr. Gates, moves that Messrs. Hagerman, Nichol, McLean and Hamilton of Wentworth be a Committee to confer with the Committee of the Honorable the Legislative Council in accordance with their Message of this day. Which was ordered.

Mr. Willson of Wentworth, seconded by Mr. Horner, moves that Harris's Patent Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. Hagerman, from the Committee to whom was referred the subject of the Loan to be obtained for the purpose of compensating the losses of His Majesty's Subjects in this Province sustained during the late War with the United States of America, reported a Bill, which was received and read the first time.

Mr. Nichol, seconded by Mr. Kerr, moves that the Loan Interest Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Weights and Measures Bill was read the second time.

Mr. Ruttan, seconded by Mr. Hamilton of Lincoln, moves that the House do now resolve itself into a Committee of the Whole upon the Weights and Measures Bill. Which was carried, and Mr. Hagerman took the Chair of the Committee.

The House resumed. Mr. Hagerman reported the Bill without amendment. Ordered, that the Report be received.

Mr. Ruttan, seconded by Mr. Hamilton of Lincoln, moves that the Weights and Measures Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Intercourse Amendment Bill was read the second time.

Mr. VanKoughnet, seconded by Mr. Kerr, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the Bill to amend the Laws now in force regulating the Intercourse between this Province and the United States of America. Which was carried. Mr. McLean of Stormont took the Chair.

The House resumed. Mr. McLean reported the Bill as amended. Ordered, that the Report be received.

Mr. VanKoughnet, seconded by Mr. Hagerman, moves that the Intercourse Amendment Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. Hamilton of Wentworth gives notice that he will on to-morrow move that the House do resolve itself into a Committee of the Whole to enable him to move certain Resolutions respecting the Public Accounts.

Mr. Jones of Leeds gives notice that he will on to-morrow move further Resolutions relative to the naturalization of Foreign Protestants.

Mr. Hamilton of Lincoln gives notice that he will on to-morrow move for a Select Committee to investigate the Contingent Accounts of this Session.

Mr. Clark gives notice that he will on to-morrow move for leave to bring in a Bill to alter and amend an Act passed in the thirty-sixth year of His late Majesty's Reign intituled "An Act for the better regulation of certain coins current in this Province."

Mr. Hagerman gives notice that he will on to-morrow move that an Humble Address be presented to His Excellency, the Lieutenant Governor, praying that His Excellency will be pleased to direct Copies of the Provincial Statutes passed in the years 1820, 1821, 1822 to be printed for distribution within the Province, and assuring His Excellency that this House will make good the expense thereof.

Adjourned till 10 a.m. to-morrow.

Tuesday, 11th March, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the House was called.

Absent: Messrs. McDonell, Hamilton (Wentworth), Rogers, Horner, Crooks.

Agreeably to the order of the day, the Registry Amendment Bill was read the third time.

Mr. Jones of Leeds, seconded by Mr. Walsh, moves that the Bill do now pass, and that it be intituled "An Act to amend and extend the provisions of an Act

passed in the thirty-fifth year of His Majesty's Reign intituled 'An Act for the public registering of Deeds, Conveyances, Wills and other incumbrances which shall be made or may affect any Lands, Tenements or Hereditaments within this Province.'" Which was carried, and the Bill signed.

Mr. Jones of Leeds, seconded by Mr. Pattie, moves that Messrs. Walsh and Clark be a Committee to carry up to the Honorable the Legislative Council the Registry Amendment Bill and request their concurrence thereto. Which was ordered.

Mr. Burwell, from the Committee to carry up to the Honorable the Legislative Council the Bill authorizing the surrender of certain lands of St. George's Church, Kingston, therein mentioned, reported they had done so.

Agreeably to the order of the day, the Rev. Chaplain's Bill was read the third time.

Mr. Nichol, seconded by Mr. McLean, moves that the Bill do now pass, and that it be intituled "An Act to provide an additional allowance to the Rev. Robert Addison, Chaplain of the House of Assembly, for his long and faithful services as Chaplain thereof.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McDonell, Clark, Walsh, Baldwin, Wilmot, Kerr, Ruttan, Crooks, Gates, Burwell, VanKoughnet, Hamilton (Lincoln), Nichol, McLean (Stormont), Bostwick, Hamilton (Wentworth).

Nays: Messrs. Pattie, Willson (Wentworth), Randal, Horner, Casey, Shaver.

The question was carried in the affirmative by a majority of ten, and the Bill signed.

Mr. Burwell, seconded by Mr. Hamilton of Lincoln, moves that Messrs, Baldwin and Clark be ordered to carry up to the Honorable the Legislative Council the Chaplain's Bill, and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Weights and Measures Bill was read the third time.

Mr. Ruttan, seconded by Mr. Kerr, moves that the Bill do now pass, and that it be intituled "An Act to repeal an Act passed in the thirty-second year of His late Majesty's Reign intituled 'An Act to establish the Winchester Measure, and a Standard for other Weights and Measures throughout this Province,' and to appropriate a sum of money for the purpose of obtaining a Standard for Weights and Measures for this Province." Which was carried, and the Bill signed.

Mr. Burwell, seconded by Mr. Crooks, moves that Messrs. Ruttan and Wilmot be ordered to carry up to the Honorable the Legislative Council the Weights and Measures Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Harris's Patent Bill was read the third time.

Mr. Willson of Wentworth, seconded by Mr. Hamilton of Wentworth, moves that the Bill do now pass, and that it be intituled "An Act granting to Daniel Harris of Toronto, in the Home District of this Province, the exclusive privilege of using or permitting to be used his new invented method of manufacturing Pot and Pearl Ashes for the time therein mentioned."

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), McDonell, Pattie, Randal, Willson (Wentworth), Hamilton (Wentworth), Wilmot, Baldwin, Horner, Kerr, Ruttan, Walsh, Gates, Casey, Burwell, VanKoughnet, Nichol, Shaver, Bostwick.

Nays: Messrs. Clark, McLean (Stormont), Hamilton (Lincoln).

The question was carried in the affirmative by a majority of sixteen, and the Bill signed.

Mr. VanKoughnet, seconded by Mr. Casey, moves that Messrs. Willson of Wentworth and Randal be a Committee to carry up to the Honorable the Legislative Council the Harris Patent Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Intercourse Amendment Bill was read the third time.

Mr. VanKoughnet, seconded by Mr. Gates, moves that the Bill do now pass, and that it be intituled "An Act to amend the Laws now in force regulating the Intercourse between this Province and the United States of America." Which was carried, and the Bill signed.

Mr. VanKoughnet, seconded by Mr. Casey, moves that Messrs. McLean of Stormont and Gates be a Committee to carry up to the Honorable the Legislative Council the Intercourse Bill, and request their concurrence thereto. Which was ordered.

Mr. Nichol, seconded by Mr. Hamilton of ————, moves that Messrs. McLean of Stormont and Jones of Leeds be a Committee to prepare an Address to His Excellency, the Lieutenant Governor, in conformity with the Report (concurred in by this House) of the Select Committee on Public Accounts ordered to inquire if any and what deductions may be made in the sums annually charged to defray the expenses of the Administration of Justice within this Province; also on the Resolutions of this House yesterday on expenditure. Which was ordered.

Agreeably to the order of the day, the House resumed the Debates on Dr. Baldwin's Resolutions of Saturday.

In amendment to which Mr. Willson of Wentworth, seconded by Mr. Clark, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the proposed Resolutions. Which was carried, and Mr. Pattie took the Chair of the Committee.

The House resumed. Mr. Pattie reported that the Committee had agreed to the first Resolution, and asked leave to sit again to-morrow. Ordered, that the Report be received, and it was

Resolved, That Immigration into this Province is of the highest importance, and deserves encouragement in every possible way.

Mr. Nichol, from the Committee appointed to confer with the Honorable the Legislative Council on the subject matter of the Law Reports Bill, reported as follows:

The Select Committee appointed to confer with the Conferees of the Honorable the Legislative Council report that they proceeded to the Conference Chamber, where they stated that there was an objection to the amendments of that Honorable House in and to the Bill intituled "An Act providing for the publication of Reports of the decisions of His Majesty's Court of King's Bench in this Province," when it was proposed that a renewal of the Conference should be asked, and that to enable the Committee to discuss the said amendments it should be a free Conference.

Which is respectfully submitted. Robert Nichol, Chairman.

Mr. Hagerman, seconded by Mr. VanKoughnet, moves that a Message be transmitted to the Honorable the Legislative Council requesting a renewal of the Conference with that Honorable Body on the amendments to the Law Reports

Bill, and that Messrs. McLean and Kerr be a Committee to communicate the same to the Honorable the Legislative Council. Which was ordered.

Agreeably to notice, Mr. Hamilton of Wentworth, seconded by Mr. Willson, moves for leave to bring in a Bill for the Relief of Matthew Crooks of Ancaster, Esquire. Which was carried, and the Bill read.

Mr. Jones of Leeds, from the Committee to draft a Bill for the appropriation of a sum of money for the improvement of the Internal Navigation, reported a draft, which was received, and read the first time.

Mr. Hamilton of Wentworth, seconded by Mr. Willson, moves that the Bill for the Relief of Matthew Crooks be read a second time this day, and that the fifth Rule of this House be dispensed with for that purpose. Which was carried.

Mr. Jones of Leeds, seconded by Mr. McDonell, moves that the fifth Rule of this House be dispensed with in so far as it relates to the Bill for the Improvement of the Inland Navigation of the Province, and that the said Bill be read a second time this day. Which was carried.

Agreeably to order, the Crooks Relief Bill was read the second time.

Mr. Hamilton of Wentworth, seconded by Mr. Willson, moves that this House do now resolve itself into a Committee of the Whole on the Crooks Relief Bill. Which was carried, and Mr. Casey took the Chair of the Committee.

The House resumed. Mr. Casey reported the Bill without amendment. Ordered, that the Report be received.

Mr. Hamilton of Wentworth, seconded by Mr. Willson, moves that the Crooks Relief Bill be engrossed and read a third time this day. Which was ordered.

Agreeably to order, the Inland Navigation Bill was read the second time.

Mr. Jones of Leeds, seconded by Mr. McDonell, moves that this House do now resolve itself into a Committee of the Whole on the Bill for appropriating One Thousand Pounds for the improvement of the Inland Navigation of this Province. Which was carried, and Mr. Crooks took the Chair of the Committee.

The House resumed. Mr. Crooks reported the Bill without amendment. Ordered, that the Report be received.

Mr. Jones of Leeds, seconded by Mr. McDonell, moves that the Bill appropriating One Thousand Pounds for the improvement of the Internal Navigation of this Province be engrossed and read a third time this day. Which was ordered.

Mr. Jones of Leeds, seconded by Mr. Pattie, moves that the Resolutions relative to instructing Mr. Commissioner Robinson in London be now resumed.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Gates, Jones (Leeds), Pattie, Randal, Chisholm, VanKoughnet, Shaver.

Nays: Messrs, McDonell, Walsh, Wilmot, Baldwin, Hamilton (Wentworth), Horner, Hamilton (Lincoln), Crooks, Burwell, Bostwick, Casey.

The question was carried in the negative by a majority of four, and lost accordingly.

Agreeably to notice, Mr. Hamilton of Lincoln, seconded by Mr. Burwell, moves that a Select Committee be appointed to investigate and report upon the Contingent Accounts of this Session, and that Messrs. Hagerman, Nichol, Baldwin and Wilmot do compose the said Committee. Which was carried.

Agreeably to the order of the day, the Loan Interest Bill was read the second time.

Mr. Nichol, seconded by Mr. Chisholm, moves that the Loan Interest Bill be considered in a Committee of the Whole this day, and that the House do now resolve itself into a Committee for that purpose. Which was carried, and Mr. Chisholm took the Chair.

The House resumed. Mr. Chisholm reported progress, and asked leave to sit again to-morrow. Ordered, that the Report be received, and leave was granted accordingly.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message, and, having withdrawn, the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have agreed to a renewal of the Conference with the Commons House of Assembly on the subject matter of the amendments made by this House in and to the Bill intituled "An Act providing for the Publication of Reports of the Decisions of His Majesty's Court of King's Bench in this Province," and that the Conference shall be free. The Conferees will be ready to meet for that purpose in the Joint Committee Room this day at five o'clock.

Legislative Council Chamber, WM. DUMMER POWELL, Speaker.
11th March, 1823.

Agreeably to the order of the day, the Crooks Relief Bill was read the third time.

Mr. Hamilton of Wentworth, seconded by Mr. Willson, moves that the Bill do now pass, and that it be intituled "An Act for the Relief of Matthew Crooks, Esq." Which was carried, and the Bill signed.

Mr. Hamilton of Wentworth, seconded by Mr. Randal, moves that Messrs. Willson and Wilmot be a Committee to carry up to the Honorable the Legislative Council the Crooks Relief Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Burwell, moves that he have leave to bring in a Bill to provide for the appointment of Commissioners to inquire into the claims for losses sustained by His Majesty's Subjects in this Province during the late War with the United States of America. Which was granted, and the Bill read.

Mr. Nichol, seconded by Mr. Burwell, moves that the Commissioners Bill be read a second time to-morrow. Which was ordered.

Agreeably to notice, Mr. Clark, seconded by Mr. Hamilton of Wentworth, moves for leave to bring in a Bill to alter and amend an Act passed in the thirty-sixth year of His late Majesty's Reign intituled "An Act for the better regulation of certain coins current in this Province." Which was granted, and the Bill was read.

Members present: Messrs. Pattie, VanKoughnet, Clark, Shaver, Randal, Ruttan, Crooks and Bostwick.

The House then adjourned for want of a quorum.

Wednesday, 12th March, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Baldwin, seconded by Mr. Randal, moves for leave to bring up the Petition of John Carey, and that the sixth Rule of this House be dispensed with in order that the same may be read this day. Which was granted, and the Petition brought up.

Agreeably to the order of the day, the Roll was called.

Absent: Messrs. McLean (Stormont), Jones (Leeds), Casey, Rogers, Wilmot, Kerr and Willson (Wentworth).

Agreeably to the order of the day, the Navigation Survey Bill was read the third time.

Mr. Nichol, seconded by Mr. Bostwick, moves that the Bill do now pass, and that it be intituled "An Act to make additional provision for the improvement of the Inland Navigation of this Province." Which was carried, and the Bill signed.

Agreeably to the order of the day, the Petition of John Carey, praying for further remuneration for reporting debates of the last Session, was read.

Mr. Baldwin, seconded by Mr. Horner, moves that the Petition of John Carey be referred to the Committee on the Contingencies of the House, and that they have power to charge in the said contingencies any such reasonable allowance as they may think him entitled to. Which was ordered.

Mr. McDonell, seconded by Mr. Burwell, moves that Messrs. Nichol and Bostwick be ordered to carry up to the Honorable the Legislative Council the Bill intituled "An Act to make additional provision for the improvement of the Inland Navigation of this Province," and request their concurrence thereto. Which was ordered.

Mr. Clark, seconded by Mr. Pattie, moves that the fifth Rule of this House be dispensed with in so far as relates to the Coin Bill, and that it be now read a second time. Which was carried, and the Bill was read the second time.

Mr. Clark, seconded by Mr. Pattie, moves that the House do now resolve itself into a Committee of the Whole on the Coin Bill. Which was ordered, and Mr. Horner took the Chair of the Committee.

The House resumed. Mr. Horner reported progress, and asked leave to sit again this day. Ordered, that the Reports be received, and leave was granted accordingly.

Mr. Clark, from the Committee to whom was referred the Petition of John Petit, Esquire, informed the House that the Committee had agreed to a Report, which he was directed to submit for the adoption of the House. Ordered, that the Report be received, and it was read as follows:

Report of the Select Committee of the House of Assembly of Upper Canada to whom was referred the Petition of John Petit, Esquire, of Grimsby:

Your Committee, having fully examined into the matter set forth in the Petition of John Petit, of Grimsby, Esquire, and the certification by which it is supported, find that the claim made by him on the Revenue of the Province is for services of a purely military nature performed by order of the Commanding General of that section of the Province during the late war with the United States of America. Therefore, although from Mr. Petit's good character and the highly respectable certificates accompanying his Petition Your Committee can entertain no doubt of its justice, yet being for services under the Military Government they cannot recommend any appropriation from the funds of the Province.

All which is respectfully submitted. JOHN CLARK, Chairman.

Com. Room, Ho. of Assy, 11th March, 1823.

Mr. Nichol, from the Committee to draft an Address to His Excellency the Lieutenant Governor, relative to retrenchment, reported a draft; which was received and read the first time.

Mr. Nichol, seconded by Mr. Bostwick, moves that the fifth Rule of this House be dispensed with in so far as relates to the Address to His Excellency the Lieu-

tenant Governor, and that it be now read a second time. Which was carried, and the Address was read the second time.

Mr. Nichol, seconded by Mr. Bostwick, moves that the House do now resolve itself into a Committee of the Whole, to take the Address to His Excellency into consideration. Which was carried, and Mr. VanKoughnet took the Chair of the Committee.

The House resumed. Mr. VanKoughnet reported the Address without amendment. Ordered that the Report be received.

Mr. Nichol, seconded by Mr. Bostwick, moves that the Address be engrossed, and read a third time this day. Which was ordered.

Agreeably to the order of the day, the House went into Committee on Dr. Baldwin's Resolutions. Mr. Gates took the Chair.

The House resumed. Mr. Gates reported progress, and asked leave to sit again this day. Ordered that the Report be received, and leave was granted accordingly.

Agreeably to the order of the day, the House went into Committee on the Loan Bill. Mr. Shaver in the Chair.

The House resumed. Mr. Shaver reported the Bill as amended. Ordered that the Report be received.

Mr. Nichol, seconded by Mr. Bostwick, moves that the Loan Bill be engrossed, and read a third time this day; and that the fifth Rule of the House be dispensed with in so far as relates to the said Bill. Which was ordered.

Agreeably to the order of the day, the Commissioners' Appointment Bill was read the second time.

Mr. Nichol, seconded by Mr. Bostwick, moves that the House do now resolve itself into a Committee of the Whole, to take the Commissioners' Bill into consideration. Which was carried. Mr. Walsh took the Chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act granting to His Majesty a sum of Money to defray certain charges for the Administration of Justice and Support of the Civil Government of this Province." The Bill intituled "An Act to make good certain Moneys issued and advanced by His Excellency the Lieutenant Governor in pursuance of the Address of the House of Assembly of this Province," and the Niagara Police Bill, which they had passed without amendment.

Also the Bill intituled "An Act to authorize the Rector and Church Wardens of St. George's Church, Kingston, to surrender certain Lands therein mentioned," and the Bill intituled "An Act to confirm certain Marriages heretofore contracted in this Province," to which they had made some amendments, to which he was instructed to request the concurrence of this House. And having withdrawn, the Amendments to the Marriage Bill were read as follows:

Press. 1, line 17: After "Any" expunge Minister, Priest, Ecclesiastic or Teacher according to any Religious Form or mode of Worship," and insert "Resident Minister or Clergyman legally authorized to celebrate Matrimony."

The amendments made by the Honorable the Legislative Council in and to the St. George's Church, Kingston, Surrender of Lands Bill were then read as follows:

In the Title: After "The" expunge "Rector" and insert "Minister."

Press. 1, line 10: After "present" expunge "Rector" and insert "Minister."

Press. 1, line 21: After "The" expunge "Rector" and insert "Minister."

Mr. Hagerman, seconded by Mr. Willson, moves that the said amendment be read a second time this day, and that the fifth Rule of the House be dispensed with

in so far as relates to the same. Which was carried, and the amendments were read a second time and adopted.

Mr. Hagerman, seconded by Mr. Willson, moves that Messrs. Crooks and Bostwick be a Committee to acquaint the Honorable the Legislative Council that this House has concurred in the said amendments. Which was ordered.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor on the subject of Retrenchment was read the third time, passed and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly beg leave to state to Your Excellency that during the present Session the detailed Accounts laid before us by Your Excellency's order have been examined by a Select Committee appointed for that purpose, who have reported that they found under the item "Administration of Justice" charges to the amount of £570 sterling, being for allowances for travelling expenses to the Judges, King's Counsel and Clerks of Assize.

That in their opinion the said allowance was made at a time when the country was very thinly peopled, the accommodations bad, the expenses of travelling high, and the salaries and emoluments of these Officers much less than at present; and also that the Fees and Contingent expenses of the King's Counsel and Clerk's of Assize had increased very considerably in amount, and that it is found that many cases are prosecuted by the Crown Officers at the Public Expense which ought to be inquired into at the Sessions at the expense of the Prosecutors individually, viz.: Assaults and Batteries, Nuisances and other minor offences, which are frequently brought forward from vindictive feeling.

The Select Committee before mentioned reported that an annual charge of £90 sterling for a Clerk's salary and the Rent of an Office appeared in the Accounts of the Attorney General, and that as that Officer receives a Fee exclusive of his Official Salary for the performance of every Act of Public duty they did not see the propriety of such a charge, and that in their opinion a very considerable saving to the Public might be made in the following items:

Travelling Allowances King's Counsel	£150
" " Clks. of Assize	120
Clerk and Office rent, Atty. General	90
Reduction and saving of Fees by removing of trials of minor offences to the Sessions	210
	£570

We, therefore, having taken the said Report into consideration, and being desirous that the Revenues of the Province may be relieved from every charge which can with justice be dispensed with, most respectfully beg leave to submit to Your Excellency's particular consideration the propriety of the savings suggested by the said Report.

We further beg leave to request Your Excellency's attention to the augmentation which has taken place in the salaries and other allowances to the Clerks and

Officers of the several Departments of the Executive Government, and though unacquainted with the cause of such augmentation as we believe it to have arisen from the depreciated value of money and consequent high prices of commodities, causes which no longer exist, we humbly submit to Your Excellency the expediency of reducing the salaries and allowances alluded to as nearly as may be found practicable to the scale authorized previous to the year 1796. While we are desirous that a proper retrenchment in all practicable cases should take place, we beg to assure Your Excellency that we are far from entertaining any wish to deprive any servant of His Majesty of a fair and reasonable compensation for the services performed or attached to his situation.

Commons House of Assembly, 12th March, 1823. LEVIUS P. SHERWOOD, Speaker.

Mr. Nichol, seconded by Mr. Willson, moves that Messrs. Walsh and Pattie be a Committee to wait upon His Excellency, the Lieutenant Governor, with the Address of this House to know when His Excellency will be pleased to receive it, and to present the same. Which was ordered.

Mr. Jones of Leeds, seconded by Mr. Shaver, moves that the amendments made by the Honorable the Legislative Council in and to the Marriage Bill be now read a second time, and that the fifth Rule of the House be dispensed with in so far as relates thereto.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Burwell, Gates, Crooks, Hagerman, McDonell, Shaver, Baldwin, VanKoughnet, Chisholm, Bostwick, Walsh, Kerr.

Nays: Messrs. Pattie, Nichol, Hamilton (Wentworth), Randal, Wilmot, Horner.

The question was carried in the negative by a majority of five, and lost accordingly.

Agreeably to the order of the day, the Loan Interest Bill was read the third time.

Mr. Nichol, seconded by Mr. Willson, moves that the Loan Interest Bill do now pass, and that it be intituled "An Act granting to His Majesty a sum of money annually to defray the interest on a Loan to be raised for compensating certain of the Inhabitants of this Province for Losses sustained by them during the late War with the United States of America."

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Pattie, Nichol, Randal, Hamilton (Wentworth), Horner, Wilmot, Baldwin, Chisholm, Crooks, Gates, Bostwick, Hagerman, McDonell, Shaver, Walsh, Kerr.

Nays: Messrs. Jones (Leeds), VanKoughnet.

The question was carried in the affirmative by a majority of fifteen, and the Bill was signed.

Mr. Burwell, seconded by Mr. Pattie, moves that Messrs. Nichol and Bostwick be ordered to carry up the Loan Interest Bill to the Honorable the Legislative Council, and to request their concurrence thereto. Which was ordered.

The House went again into Committee on the Commissioners Appointment Bill, Mr. Walsh in the Chair.

The House resumed. Mr. Walsh reported the Bill as amended. Ordered, that the Report be received.

Mr. Nichol, seconded by Mr. Hagerman, moves that the Commissioners Appointment Bill be engrossed and read a third time on to-morrow. Which was ordered.

Agreeably to notice, Mr. Hagerman, seconded by Mr. Bostwick, moves that it be resolved that an humble address be presented to His Excellency, the Lieutenant Governor, praying that His Excellency will be pleased to direct One Thousand Copies of the Provincial Statutes passed in the years 1820, 1821 and 1822 to be printed for distribution within the Province, and assuring His Excellency that this House will make good the expense thereof. Which was carried.

Mr. Hagerman, seconded by Mr. Walsh, moves that Messrs. Gates and Bostwick be a Committee to draft an Address pursuant to the foregoing resolution. Which was ordered.

Mr. Gates, from the Committee to draft an Address to His Excellency, the Lieutenant Governor, on the subject of printing Statutes, reported a draft, which was received and read the first time.

Mr. Hagerman, seconded by Mr. Bostwick, moves that the Address be read a second time this day, and that the fifth Rule of the House be dispensed with so far as relates to the same. Which was carried, and the Address was read the second time.

Mr. Hagerman, seconded by Mr. Bostwick, moves that the Address be concurred in, and that it be engrossed and read a third time this day. Which was carried.

Mr. Hagerman, from the Committee to confer with the Conferees of the Honorable the Legislative Council on the subject matter of the Law Reports Bill, informed the House that the Joint Committee had agreed to a Report, which he was directed to submit for the adoption of the House. Ordered, that the Report be received, and it was read as follows:

The Committee of this House appointed to confer with the Committee of the Honorable the Legislative Council on the amendments made by that Honorable Body to the Bill intituled "An Act providing for the publication of Reports of the Decisions of His Majesty's Court of King's Bench in this Province," have agreed to recommend for the adoption of this House the following amendments:

The striking out of the first Clause of the Bill and the insertion of the following: "And be it enacted by the authority aforesaid that the said Treasurer of the said Law Society shall pay into the hands of His Majesty's Receiver General of this Province for the time being the several sums of money to be by him received under the provisions of this Act to be applied toward the payment of a salary not exceeding the sum of one hundred pounds of lawful money to a Reporter to be appointed by the Governor, Lieutenant Governor, or person administering the Government of this Province, the same being a Member of the Law Society, whose duty it shall be to report the cases and decisions of His Majesty's Court of King's Bench in the said Province; Provided always that the said Report may be sold for the benefit of the Reporter."

"And be it further enacted by the authority aforesaid that the salary herein declared to be payable to the said Reporter shall be paid by the Receiver General of the Province out of the moneys which may hereafter be paid into his hands by the Treasurer of the Law Society aforesaid in discharge of such Warrant or Warrants as may from time to time be issued by the Governor, Lieutenant Governor

or person administering the Government of this Province, and be accounted for to His Majesty through the Lords Commissioners of His Majesty's Treasury for the time being in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct."

Also to agree to the amendments made by the Honorable the Legislative Council to the other Clauses of the said Bill.

Agreeably to notice, Mr. Hamilton of Wentworth, seconded by Mr. Wilmot, moves that the House do now resolve itself into a Committee of the Whole to take into consideration certain Resolutions respecting the Public Accounts. Which was carried. Mr. Randal took the Chair of the Committee.

The House resumed. The Black Rod being at the door.

Mr. Boulton, Mastery in Chancery, brought down from the Honorable the Legislative Council a Message, and, having withdrawn, the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have concurred in the amendments proposed at the Free Conference in and to the Bill intituled "An Act providing for the Publication of Reports of the Decisions of His Majesty's Courts of King's Bench in this Province."

Legislative Council Chamber, 12th March, 1823. WM. DUMMER POWELL, Speaker.

Mr. Hagerman, seconded by Mr. VanKoughnet, moves that the amendments recommended by the Free Conference on the Law Reports Bill be concurred in.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean (Stormont), Pattie, Nichol, Wilmot, Randal, Hamilton (Wentworth), Casey, Burwell, Kerr, Chisholm, VanKoughnet, Crooks, Gates, Bostwick, Hagerman, Shaver, Hamilton (Lincoln).

Nays: Messrs. Baldwin, Clark, Horner, Jones (Leeds).

The question was carried in the affirmative by a majority of thirteen, and the amendments concurred in.

Mr. Hagerman, seconded by Mr. Shaver, moves that Messrs. VanKoughnet and Bostwick be a Committee to acquaint the Honorable the Legislative Council that this House has concurred in the said amendments. Which was ordered.

The House went again into Committee on the Resolutions respecting the Public Accounts, Mr. Randal in the Chair.

The House resumed. Mr. Randal reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House. Ordered, that the Report be received, and it was

Resolved, That the Committee on Public Accounts have been unable to make a satisfactory Report, from the perplexed manner in which these Accounts are made up.

That it occupies a great portion of the time of the Committee in extracting and classifying the different charges from the Receiver General's Account of Warrants paid by him for various services.

That these Warrants being issued at broken periods and no account rendered of the outstanding claims to complete the year occasions much confusion.

That the want of detail of all moneys paid for the services specified in the Bill of Supply, as also the resources from whence these are paid, precludes the Committee from an opportunity of making any remark whatever upon any ex-

traordinary or improper expenditure, thereby rendering their Report exceedingly unsatisfactory to themselves and to the House, placing the House in the embarrassing situation of either taking away the Public Money without being able to assign to their Constituents any other or better reason than the mere requisition of the Executive, or leaving the Government destitute of the means of carrying on the Public service by witholding the Supply from their inability to judge of the necessity of it.

Resolved, That an Humble Address be presented to His Excellency, the Lieutenant Governor, founded on the foregoing Resolutions.

Mr. Hamilton of Wentworth, seconded by Mr. Wilmot, moves that Messrs. Nichol and Baldwin be a Committee to draft an Address to His Excellency, the Lieutenant Governor, pursuant to certain Resolutions on Public Accounts. Which was ordered.

Mr. Nichol, from the Committee to whom was referred the Petition of Thomas Markland, Esq., and others of the Town of Kingston, informed the House that the Committee had agreed to a Report, which was received and adopted, and is as follows:

Resolved, That by the thirtieth Clause of the Trade Act, it is among other things enacted that the expense of improving the Saint Lawrence shall in future be defrayed by such measures and in such proportions as the Arbitrators to be appointed under the provisions of this Act shall determine upon the prayer of either Province; provided always that no such determination shall be carried into effect until sanctioned and enacted by the Legislatures of both the said Provinces.

2. That by an Act of the Provincial Parliament of Lower Canada passed in the forty-eighth year of His late Majesty's Reign, certain Rates and Duties payable at Chateauguay and Montreal were imposed on all Scows, Rafts and Cribs passing the Rapids between Chateauguay and Montreal, and were appropriated as a permanent fund for the improvement of the Navigation of the River Saint Lawrence between Lake Francois and Montreal.

3. That it appears from a printed Statement of the Public Provincial Accounts of Lower Canada for the year 1821 the amount of rates levied under the said Act and unexpended on the 1st November in the said year was £5,203 6s 7d.

4. That a large proportion of this fund was levied upon Upper Canada.

5. That an Humble Address be presented to His Excellency, the Lieutenant Governor, founded upon the above Resolutions, and praying His Excellency to direct the attention of the Arbitrator on the part of this Province to this important subject, and to recommend that from this said fund provision be made for obtaining an accurate survey of the River St. Lawrence by an Engineer properly qualified to report on the improvements that may be made therein, that the same may be referred to the consideration of the Legislatures of both Provinces at their next session, in conformity to the provisions of the said Act of the Imperial Parliament.

Mr. Nichol, seconded by Mr. Wilmot, moves that Messrs. Hamilton of Lincoln and Hagerman be ordered to draw up and report an Address to His Excellency the Lieutenant Governor on the Resolutions of this House. Which was ordered.

Mr. Hamilton of Wentworth, from the Committee appointed to draft an Address to His Excellency the Lieutenant Governor in pursuance of the foregoing Resolutions, reported a draft, which was received and read the first time.

Mr. Nichol, seconded by Mr. Clark, moves that the Address be read a second time to-morrow. Which was ordered.

Mr. Randal gives notice that he will on to-morrow apply for a copy of the Petition of John Hardey and the proceedings thereon so far as relates to the same.

Mr. Crooks, seconded by Mr. Burwell, moves that this House do now resolve itself into a Committee of Supply, and that the fifth Rule of the House be dispensed with so far as relates to the same. Which was carried. Mr. Hamilton of Lincoln took the Chair of the Committee.

The House resumed. Mr. Hamilton reported that the Committee had agreed to two Resolutions, which he was directed to submit for the adoption of the House. Ordered, that the Report be received, and it was

Resolved, That it is expedient that the sum of Two Thousand Pounds be raised by way of Loan for the purpose of opening a passage into Burlington Bay from Lake Ontario.

Resolved, That it is expedient that a Toll be levied on Vessels, Boats, Crafts, Rafts and all articles passing the said Canal to pay the interest on the said Loan and to redeem the principal thereof.

Mr. Crooks, seconded by Mr. Bostwick, moves that Messrs. Hagerman and McLean be a Committee to draft a Bill pursuant to the Resolutions of this House. Which was ordered.

Mr. Nichol, seconded by Mr. Hagerman, moves that Charles Jones, Esquire, a Member of this House, have leave of absence for the remainder of this Session. Which was granted.

Mr. Crooks gives notice that he will, on to-morrow, move that the Report of the Select Committee on the Public Accounts of this Session be printed.

The House then adjourned till ten o'clock to-morrow.

Thursday, 13th March, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the House was called.

Absent: Messrs. McLean (Stormont), Rogers, Hamilton (Lincoln), Willson (Wentworth), Crooks and Walsh.

Agreeably to the order of the day, the Address to His Excellency, the Lieutenant Governor, on the subject of printing Statutes was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly pray that Your Excellency will be pleased to direct one thousand copies of the Provincial Statutes passed in the years 1820, 1821 and 1822 to be printed for distribution, it having been ascertained that the number published is inadequate to the supply of His Majesty's Subjects within this Province, the expenses of which His Majesty's Faithful Commons will make good at the next Session of the Provincial Legislature.

Commons House of Assembly, 13th March, 1823. Levius P. Sherwood, Chairman.

Mr. Hagerman, seconded by Mr. McDonell, moves that Messrs. Burwell and Chisholm be a Committee to wait on His Excellency the Lieutenant Governor to

know when His Excellency will be pleased to receive the Address of this House, and to present the same. Which was ordered.

Mr. Nichol, seconded by Mr. McDonell, moves that the Commissioners Appointment Bill be re-committed. Which was carried, and Mr. Shaver took the Chair of the Committee.

The House resumed. Mr. Shaver reported progress, and asked leave to sit again this day. Ordered, that the Report be received, and leave was granted accordingly.

Mr. Casey, seconded by Mr. Wilmot, moves that Mr. Rogers have leave of absence during the remainder of the Session. Which was granted.

Mr. Nichol, seconded by Mr. Jones, moves that he have leave to bring up the Petition of Charles Fothergill, Esq., His Majesty's Printer. Which was granted, and the Petition brought up.

Mr. Nichol, seconded by Mr. Jones, moves that the sixth Rule of this House be dispensed with in so far as it relates to the Petition, and that it be now read. Which was carried, and the Petition from Charles Fothergill, praying to be paid for printing Statutes by the page was read.

Mr. Nichol, seconded by Mr. Horner, moves that the Petition be referred to the Committee on the Contingent Accounts. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Coin Bill. Mr. Horner took the Chair.

The House resumed. Mr. Horner reported progress, and asked leave to sit again this day three months.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Casey, Kerr, VanKoughnet, Chisholm, Gates, Burwell, Hagerman, Shaver, Bostwick.

Nays: Messrs. Clark, Randal, Wilmot, Horner, Baldwin, Hamilton (Lincoln), McDonell.

The question was carried in the affirmative by a majority of three, and the Report was received and leave granted accordingly.

Agreeably to the order of the day, the House went into Committee on Dr. Baldwin's Resolutions, Mr. Gates in the Chair.

The House resumed. Mr. Gates reported progress, and asked leave to sit again this day three months.

On the question of receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Casey, Gates, Burwell, Hagerman, Shaver, McDonell, Bostwick, Hamilton (Lincoln).

Nays: Messrs. Clark, Randal, Wilmot, Horner, Baldwin, Chisholm.

The question was carried in the affirmative by a majority of three, the Report received, and leave was granted accordingly.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor on the subject of Lower Canada Lumber Duties was read the second time.

Mr. Nichol, seconded by Mr. Clark, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the Address to His Excellency the Lieutenant Governor on the Improvement of the Navigation of the River Saint Lawrence. Which was carried, and Dr. Baldwin took the Chair of the Committee.

The House resumed. Dr. Baldwin reported the Address without amendment. Ordered, that the Report be received.

Mr. Nichol, seconded by Mr. Clark, moves that the Address to His Excellency the Lieutenant Governor be engrossed and read a third time this day, and that the fifth Rule of this House be dispensed with in so far as relates to the said Address. Which was ordered.

Agreeably to notice, Mr. Randal, seconded by Mr. Wilmot, moves that a copy of John Hardey's Petition and the proceedings thereon be furnished him by the Clerk of the House. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Commissioners Appointment Bill, Mr. Gates in the Chair.

The House resumed. Mr. Gates reported the Bill as amended.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Nichol, Hamilton (Lincoln), Casey, Wilmot, Randal, Horner, Gates, Crooks, Chisholm, McDonell, Clark, Shaver, Bostwick, Hamilton (Wentworth).

Nays: Messrs. Baldwin, VanKoughnet.

The question was carried in the affirmative by a majority of thirteen, and the Report received accordingly.

Mr. Nichol, seconded by Mr. Burwell, moves that the Bill be engrossed and read a third time this day, and that the fifth Rule of this House be dispensed with for that purpose. Which was ordered.

Mr. Crooks, seconded by Mr. Chisholm, moves that five hundred copies of the Report of the Select Committee on the Public Accounts of this Session be printed for the use of the Members of this House. Which was ordered.

Agreeably to the order of the day, the Commissioners Appointment Bill was read the third time.

Mr. Nichol, seconded by Mr. Burwell, moves that the Commissioners Appointment Bill do now pass, and that it be intituled "An Act to provide for the appointment of Commissioners to investigate the claims of certain Inhabitants of this Province for losses sustained by them during the late War with the United States of America, and for other purposes therein mentioned." Which was carried, and the Bill signed.

Mr. Nichol, seconded by Mr. Shaver, moves that Messrs. Burwell and Chisholm be ordered to carry up to the Honorable the Legislative Council the Commissioners Appointment Bill, and to request their concurrence thereto. Which was ordered.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Weights and Measures Bill, the Chaplain's Allowance Bill, and the Bill to provide a salary for the Adjutant General of Militia which they had passed without amendment, and also the District and Surrogate Courts Bill, to which they had made some amendments, to which he was directed to request the concurrence of this House.

The Messenger having withdrawn, the said amendments were read the first time as follows:

Press. 2, line 10. After "on" expunge "the several days upon" and insert "the Monday of the week in."

After "ensuing" insert "and the Judge presiding in each of the said District Courts shall make his precept for summoning the Jury returnable in the first day of each term respectively; provided always that no Jury summoned to

attend any District Court in this Province shall be required or obliged to attend for a longer period than one week."

3. After "aforesaid" expunge the remainder of the Clause and insert "that it shall and may be lawful for any Plaintiff or Defendant in any action now pending or hereafter to be brought in any District Court in this Province to sue out a Writ or Writs of subpœna as occasion may require from the Office of the Clerk of the Crown or Deputy Clerk of the Crown in any District in this Province to compel the attendance of any Witness or Witnesses resident out of the jurisdiction of the District Court in which such action shall be brought or pending to give evidence at the trial of such action; which Writ or Writs of subpœna shall be as effectual, and the person or persons disobeying the same shall be liable to the same penalties as if the said action had been commenced and prosecuted in His Majesty's Court of King's Bench in this Province, and the said Court of King's Bench shall have power and authority to proceed against the person or persons disobeying the said Writ or Writs of Subpœna as in other cases of contempt."

Press. 4. Expunge the eighth clause.

Mr. Hagerman, seconded by Mr. McLean, moves that the amendments made by the Honorable the Legislative Council in and to the District and Surrogate Courts Bill be read a second time this day, and that the fifth Rule of this House be dispensed with as far as relates to the said amendments. Which was carried, and the amendments were read the second time and concurred in.

Mr. Hagerman, seconded by Mr. VanKoughnet, moves that Messrs. McLean and Kerr be a Committee to inform the Honorable the Legislative Council that this House has concurred in the amendments made by that Honorable body in and to the Bill altering the time of holding the District and Surrogate Courts. Which was ordered.

Mr. Nichol, from the Committee to draft an Address to His Excellency the Lieutenant Governor respecting the Public Accounts, reported a draft, which was received and read the first time.

Mr. Hamilton of Lincoln, seconded by Mr. Ruttan, moves that the Address to His Excellency the Lieutenant Governor be read a second time this day, and that the fifth Rule of this House be dispensed with as far as relates to the same. Which was carried, and the Address was read the second time.

Mr. Hamilton of Wentworth, seconded by Mr. Hamilton of Lincoln, moves that the Address to His Excellency the Lieutenant Governor on Public Accounts pursuant to certain Resolutions be concurred in. Which was carried.

Mr. Hagerman, from the Committee to draft a Bill relative to Burlington Bay, reported a draft, which was received and read the first time.

Mr. Crooks, seconded by Mr. Gates, moves that the fifth Rule of this House be dispensed with in so far as it relates to the Burlington Canal Bill, and that it be read a second time this day. Which was carried.

Mr. Hamilton of Wentworth, seconded by Mr. Randal, moves that the Address of His Excellency the Lieutenant Governor on Public Accounts be engrossed and read a third time this day. Which was ordered.

The Canal Bill was then read the second time.

Mr. Crooks, seconded by Mr. Burwell, moves that this House do now resolve itself into a Committee of the Whole to take into consideration the Canal Bill. Which was carried. Mr. Casey took the Chair.

The House resumed. The Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message, and, having withdrawn, the same was read by the Speaker as follows:

Mr. Speaker: The Honorable the Legislative Council request a Conference with the Commons House of Assembly on the subject matter of the Bill intituled "An Act granting to His Majesty a sum of money annually to defray the interest of a Loan to be raised for compensating certain of the Inhabitants of this Province for losses sustained by them during the late War with the United States of America," and have appointed a Committee of two Members, who are now ready to meet a Committee of the Commons House of Assembly in the Joint Committee Room for that purpose.

Legislative Council Chamber, 13th March, 1823. WM. DUMMER POWELL, Speaker.

Mr. Nichol, seconded by Mr. Hamilton of Lincoln, moves that this House do accede to the request of the Honorable the Legislative Council for a conference, and that Messrs. McDonell, Crooks and Hagerman be ordered to attend the said Conference on the part of this House. Which was carried.

Mr. Nichol, from the Committee aforesaid, reported as follows:

The Conferees on the part of this House proceeded to the Conference Chamber, where they were informed that the Legislative Council had asked for the Conference for the purpose of communicating to Your Honorable House their apprehensions that the enactments of the Loan Bill would be found not to answer the expectations entertained by Your Honorable House in passing it, as no specific fund was provided to pay the appropriations, although there was a desire on the part of the Honorable the Legislative Council to amend it.

March 13th, 1823. ROBT. NICHOL, Chairman.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill vesting in certain Commissioners for the benefit of its creditors the Stock, Debts, Bonds and Property of the pretended Bank of Upper Canada lately established at Kingston, to which they had made some amendments, to which he was directed to request the concurrence of this House. The Messenger having withdrawn, the said amendments were read.

Mr. Nichol, seconded by Mr. Hamilton of ————, moves that the said amendments be now read the second time, and that the fifth Rule of the House be dispensed with so far as relates to the same for that purpose. Which was carried, and the amendments were read the second time and adopted.

Mr. Walsh, seconded by Mr. Wilmot, moves that Messrs. McLean of Stormont and Hamilton be a Committee to inform the Honorable the Legislative Council that this House has concurred in the said amendments made by them. Which was ordered.

The House went again into Committee on the Burlington Canal Bill, Mr. Casey in the Chair.

The House resumed. Mr. Casey reported the Bill as amended. Ordered, that the Report be received.

Mr. Crooks, seconded by Mr. Chisholm, moves that the Bill be engrossed and read a third time this day, and that the fifth Rule of the House be dispensed with in so far as relates to the same. Which was ordered.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor on the Navigation of the Saint Lawrence was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, most humbly beg leave to represent to Your Excellency that we have resolved that by the thirtieth Clause of an Act passed in the third year of His Majesty's Reign, intituled "An Act to regulate the Trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces," it is enacted that the expense of improving the Navigation of the River St. Lawrence shall in future be defrayed by such measures and in such proportion as the Arbitrators to be appointed under the provisions of the said Act shall determine upon the prayer of either Province; provided always that no such determination shall be carried into effect until sanctioned and enacted by the Legislatures of both Provinces.

Also that by an Act of the Parliament of Lower Canada passed in the forty-eighth year of His late Majesty's Reign, certain Rates or Duties payable at Chateauguay and Montreal were imposed on all Scows, Rafts and Cribs passing the Rapids between Chateauguay and Montreal, and were appropriated as a permanent fund for the improvement of the Navigation of the River St. Lawrence. Also that by the Published Statements of the Public Accounts of Lower Canada the amount of duties levied under the said Act and unexpended on the 1st November, 1821, was £5,203 6s 7d, of which it was ascertained a great proportion was levied on the trade of Upper Canada, and that it is highly desirable that the said sum should be expended.

We therefore humbly request Your Excellency to direct the attention of the Arbitrator on the part of this Province to this subject, and to recommend that from the said Fund provision be made for an accurate survey of the course of the St. Lawrence by an Engineer properly qualified to report on the improvements that may be made therein, that the subject may be referred to the consideration of the Legislatures of both Provinces at their next Session, in conformity to the provisions contained in the said Act of the Provincial Parliament.

Commons House of Assembly, 13th March, 1823. LEVIUS P. SHERWOOD, Speaker.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor on the subject of Public Accounts was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada and Major General Commanding His Majesty's Forces therein, etc.,

May it please Your Excellency: We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave respectfully to represent to Your Excellency that much trouble and confusion arises from the perplexed manner in which the Public Accounts are made up from the different charges in the Receiver General's Account of Warrants paid by him for various services not being extracted and classed under distinct heads,

and from these Warrants being issued at broken periods and no account rendered of the outstanding claims to complete the year.

That the want of detail of all moneys paid for the services specified in the Bill of Supply, as also the resources from whence these are defrayed, precludes His Majesty's Faithful Commons from an opportunity of inquiring into what they may conceive any extraordinary or improper expenditure, thereby placing His Majesty's Commons in the embarrassing situation of either voting away the Public Money without being able to assign to their constituents any other or better reason than the requisition of the Executive, or leaving the Government destitute of the means of carrying on the Public Service by witholding the supply from their inability of judging of the necessity of granting it.

And to request that Your Excellency will be graciously pleased to direct the proper officer to lay before the House at an early period of the next Session of Parliament the Public Accounts in such manner and form as to obviate the difficulties alluded to, also such other detail as may be necessary to put His Majesty's Commons in full possession of the information required.

Commons House of Assembly, Levius P. Sherwood, Speaker.
13th March, 1823.

Mr. Hamilton of Wentworth, seconded by Mr. Kerr, moves that Messrs. Burwell and Chisholm be a Committee to carry up to His Excellency the Lieutenant Governor the Address of this House on the Public Accounts and the Address relative to the Navigation of the River St. Lawrence, to know when His Excellency will be pleased to receive them, and to present the same. Which was ordered.

Mr. Nichol, seconded by Mr. Hamilton of ————, moves that the Resolution of the House of last Session relative to the Serjeant at Arms be referred to the Select Committee on the Contingent Accounts. Which was ordered.

Mr. Nichol gives notice that he will, on to-morrow, move that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor requesting His Excellency to be pleased to appoint the Honorable and Reverend John Strachan, D.D., the Honorable John Henry Dunn, Esq., and Levius P. Sherwood, Esq., to act as Commissioners in any Commission that may be issued under the authority of any Act of the Parliament of this Province for inquiring into claims or losses sustained during the late War.

The House then adjourned till ten o'clock to-morrow.

Friday, 14th March, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the House was called.

Absent: Messrs. Pattie, Hagerman, Clark, Kerr, and Willson of Wentworth.

Mr. McLean of Stormont, seconded by Mr. Wilmot, moves that the Canal Bill be now re-committed. Which was carried, and Mr. Casey took the Chair of the Committee.

The House resumed. Mr. Casey reported the Bill as amended. Ordered, that the Report be received.

Mr. Crooks, seconded by Mr. Chisholm, moves that the Canal Bill be engrossed and read a third time this day. Which was ordered.

Agreeably to the order of the day, the Burlington Canal Bill was read the third time.

Mr. Crooks, seconded by Mr. Shaver, moves that the Bill do now pass, and that it be intituled "An Act to provide for constructing a Navigable Canal between Burlington Bay and Lake Ontario." Which was carried, and the Bill signed.

Mr. McLean of Stormont, seconded by Mr. Gates, moves that Messrs. Crooks and Chisholm be a Committee to carry up to the Honorable the Legislative Council the Burlington Bay Canal Bill, and to request their concurrence thereto. Which was ordered.

Mr. McDonell, seconded by Mr. Shaver, moves that Messrs. McLean of Stormont, VanKoughnet, Gates and Bostwick have leave of absence for the remainder of the Session. Which was granted.

Mr. McLean of Stormont, seconded by Mr. Horner, moves that Messrs. Casey and Pattie have leave of absence after to-morrow evening for the remainder of the Session.

In amendment, Mr. Willson of Wentworth, seconded by Mr. Clark, moves that Mr. Casey's name be expunged from the original motion. Which was carried.

The original question as amended was then put and carried.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Commissioners Appointment Bill and the Loan Interest Bill, which they had passed without amendment.

Members present: Messrs. Randal, Clark, Pattie, Wilmot, Gates, McLean, VanKoughnet, Burwell, Bostwick and Shaver.

The House adjourned for want of a quorum.

Saturday, 15th March, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to order, the House was called. Absent: Messrs. Casey and Walsh.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Inland Navigation Improvement Bill, which they had passed without amendment; also the Crooks Relief Bill, the DeLong *et al* Relief Bill, and the Clement Relief Bill, to which they had made some amendments, to which he was directed to request the concurrence of the House; and also a Bill sent down from the Honorable the Legislative Council intituled "An Act to repeal part of the second Clause of an Act passed in the second Session of the present Parliament intituled 'An Act to repeal part of and amend the Laws now in force respecting the practice of His Majesty's Court of King's Bench in this Province,' and to authorize in certain cases the trial of Prisoners in other Districts than where their respective crimes were committed, and for that purpose their removal from one district to another," to which they requested the concurrence of the House of Assembly.

The amendments made by the Honorable the Legislative Council to the DeLong *et al* Relief Bill were then read as follows:

In the title expunge "Hiram Spafford."

Press. 1, line 10. After "Younge" expunge "Hiram Spafford of Brockville."

Press. 1, line 14. After "estates" expunge "of" and insert "claimed by." Line 17, expunge "Hiram Spafford." Line 17, after "Bench" expunge "against them respectively" and insert "that is to say by the said George DeLong the Lot number thirteen in the third Concession of the Township of South Crosby in the District of Johnstown, and containing five hundred acres; and by the said George Bates, the East half of Lot number seventeen in the Fourth Range, Third Con-

cession of the Township of Yonge and District of Johnstown, containing two hundred acres, and by the said Alexander Gardner the Lot one hundred and four in the Township of Niagara, containing one hundred acres; and also by the said Thomas Dowsley and James Smith, Front Lot number nineteen in the Ninth Concession of the Township of Ketley in the District of Johnstown."

Press. 2, line 7. Expunge "Hiram Spafford." Line 10, after "estate" expunge the remainder of the Bill and insert "in the respective lands has been vested in His Majesty and the Commissioners aforesaid as forfeited; provided always that before any traverse or traversers to the said inquisition or any of them shall be received or filed in the Office of His Majesty's Court of King's Bench the said George DeLong, George Bates, Alexander Gardner, Thomas Dowsley and James Smith, or their respective Heirs, shall each severally enter into a Bond to His Majesty in the penalty of fifty pounds conditioned for the payment of all costs as His Majesty may be put to in and about defending the said Traversers in case judgment thereon shall be given for His Majesty, His Heirs or Successors, or the said several persons or either of them shall fail in prosecuting the same."

Mr. Nichol, seconded by Mr. Baldwin, moves that the said amendments be read the second time now, and that the fifth Rule of the House be dispensed with so far as relates to the same.

In amendment, Mr. VanKoughnet, seconded by Mr. Gates, moves that after the word "moves" in the original motion the whole be expunged and the following inserted, "that a Conference be requested with the Honorable the Legislative Council on the subject of the said amendments." Which was carried.

The original question as amended was then put and carried.

Mr. Burwell, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House relative to printing Statutes and Survey of the River St. Lawrence, reported having delivered the same, and that His Excellency had been pleased to make thereto the following replies:

Gentlemen of the House of Assembly: I shall give the necessary directions in compliance with the request contained in your Address for the printing of one thousand copies of the Acts passed in the years 1820, 1821, 1822 for distribution.

Gentlemen of the House of Assembly: I shall not fail to cause instructions to be given to the Arbitrator on the part of this Province on the subject of your Address relative to a Survey of the River St. Lawrence.

Mr. VanKoughnet, seconded by Mr. Clark, moves that Messrs. McLean of Stormont and Gates be a Committee to request a Conference with the Honorable the Legislative Council on the subject matter of the amendments made by that Honorable House to the Bill intituled "An Act for the relief of George DeLong, George Bates, Hiram Spafford, Alexander Gardner, Thomas Dowsley and James Smith." Which was ordered.

The amendments made by the Honorable the Legislative Council to the Bill intituled "An Act for the relief of John P. Clement" were read as follows:

Press. 2, line 14. After "Receiver" insert "provided always that before any Traverser to the said Inquisition shall be received or filed in the Office of His Majesty's Court of King's Bench, the said John P. Clement or his Heirs shall enter a Bond to His Majesty in the penalty of fifty pounds, conditioned for the payment of all such costs as His Majesty may be put to in or about defending the said Traverser in case judgment shall be given thereon for His Majesty, his Heirs or Successors, or the said John P. Clement shall fail in prosecuting the same."

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill for the construction of the Burlington Bay Canal, which they had passed without amendment, and withdrew.

Mr. Nichol, seconded by Mr. Wilmot, moves that the amendments made by the Honorable the Legislative Council in and to the John P. Clement Relief Bill be now read a second time. Which was carried, and the amendments were read a second time, adopted, and signed by the Speaker.

The amendments made by the Honorable the Legislative Council in and to the Bill for the relief of Matthew Crooks, Esq., were then read as follows:

Press. 1, line 1: After "by" expunge the remainder of the Preamble, and insert "An Act of the Provincial Parliament passed in the fifty-eighth year of His late Majesty King George the Third, intituled 'An Act for vesting in Commissioners the estates of certain Traitors, and also the estates of persons declared Aliens by an Act passed in the fifty-fourth year of His Majesty's reign, intituled 'An Act to declare certain persons therein described Aliens, and to vest their estates in His Majesty' and for applying the proceeds thereof towards compensating the losses which His Majesty's Subjects have sustained in consequence of the late War, and for ascertaining and satisfying the lawful debts thereupon' the estate in the Lands of Lot No. 14 in the Fifth Concession of the Town of Grantham in the District of Niagara, now claimed by one Matthew Crooks, of Ancaster, has been vested in the Commissioners appointed under and by virtue of the said Act, and whereas the said Matthew Crooks has not been able in due time to traverse the Inquisition by virtue whereof the said Lands came to be so forfeited, and it being desirable to afford him an opportunity of exhibiting his claim to the said Lands and trying the merit of such claim."

Press. 2, line 4: After "the" insert "said" and after "Inquisition" strike out "herein before mentioned."

Mr. Hamilton, of Wentworth, seconded by Mr. Wilmot, moves that the amendments be now read the second time. Which was carried, and the amendments were read the second time, concurred in, and signed by the Speaker.

Mr. Hamilton, seconded by Mr. Wilmot, moves that Messrs. Clark and Baldwin be a Committee to inform the Hon. Legislative Council that this House has concurred in their amendments to the Crooks Relief Bill. Which was ordered.

The Bill sent down from the Honorable Legislative Council intituled "An Act to repeal part of the second Clause of an Act passed in the second Session of the present Parliament, intituled 'An Act to repeal part of and amend the laws now in force respecting the practice of His Majesty's Court of King's Bench in this Province,' and to authorize in certain cases the trial of Prisoners in other Districts than where their respective crimes may have been committed, and for that purpose their removal from one District to another" was then read the first time.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message, and having withdrawn, the Speaker read the same as follows:

Mr. Speaker:—The Honorable the Legislative Council have agreed to a Conference with the Commons House of Assembly on the subject matter of the DeLong et al Relief Bill, and have appointed a Committee of two Members who are now ready to meet a Committee of the Commons House of Assembly for that purpose in the Joint Committee Room.

WM. DUMMER POWELL, Speaker.

Legislative Council Chamber,
5th March, 1823.

Mr. Crooks, seconded by Mr. Burwell, moves that Messrs. Nichol, McLean, of Stormont, VanKoughnet and Gates be a Committee to confer with the Committee of the Hon. Legislative Council in accordance with their Message. Which was ordered.

Dr. Baldwin, seconded by Mr. Chisholm, then moved that the Bill intituled "An Act to repeal part of the second Clause of An Act passed in the Second Session of the present Parliament, etc.," sent down from the Hon. Legislative Council, be read a second time this day three months. Which was carried.

Mr. Pattie, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House relative to retrenchment, reported having delivered the same, and that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly:

Your observations on the allowances to Judges and other Officers in lieu of travelling expenses shall receive my serious attention. I think it right, however, to intimate to you that His Majesty's Government considered the same compensation reasonable when they were defrayed from the Treasury of the Mother Country.

The salary of a Clerk and the rent of an Office to His Majesty's Attorney General commenced with the other allowances, and were equally authorized by the King. By the tenor of his Commission, also, the Attorney General is confirmed in all the profits and advantages enjoyed by his predecessors. I must express my regret that this Officer, whose duties and emoluments are those most particularly objected to in your Address, should be absent at this time from the Province, in the performance of a Public Service with the nature of which the House of Assembly is not unacquainted.

No augmentation whatever in the scale of salaries and allowances to the Officers and Clerks of the different departments of the Executive Government has taken place since a portion of those charges has been assumed by the Colonial Legislature. The adoption of the scale of 1792 would necessarily have the effect of placing many respectable men long exercised in the faithful discharge of Public duties in the situation of struggling against actual penury, with the gloomy prospect of starving in old age; and it would, I am persuaded, prove in the event an economy not less detrimental to the Public than unjust to the individual.

You may be sure, however, I shall not fail to institute a careful inquiry on all the subjects adverted to by you in your Address, and any reduction that can with propriety be made in the expenses of the Administration of Justice or in any other branch of the public expenditure, I shall be found, as I always have been, ready either to adopt or recommend where the case requires it to His Majesty's gracious consideration.

Mr. Nichol, from the Committee to confer with the Conferees of the Hon. Legislative Council on the subject matter of the amendments made by that Honorable Body in and to the Bill intituled "An Act for the relief of George DeLong, George Bates, Hiram Spafford, Alexander Gardner, Thomas Dowslēy and Jas. Smith," reported having met the Committee of Conference.

Mr. Nichol, seconded by Mr. Willson, moves that the said amendments be now read a second time. Which was carried, and the amendments were read the second time, concurred in, and signed by the Speaker.

Mr. Nichol, seconded by Mr. Hamilton, of Lincoln, moves that Messrs. Burwell and Willson be directed to acquaint the Honorable the Legislative Council of the concurrence of this House in the said Amendments. Which was ordered.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intituled "An Act to authorize the appointment of District Attornies, and to regulate the Fees of Justices of the Peace and Clerks of the Peace in this Province," to which they had made some amendments, and having withdrawn, the amendments were read as follows:

In the title after the "authorize" expunge the remainder of the title, and insert "and to provide for the regulation of the Fees of Justices of the Peace, Justices, Clerks, and Clerks of the Peace within this Province."

Press. 1, line 1: After "whereas" expunge the remainder of the preamble, and insert "doubts have arisen as to any and what fees a Justice of the Peace, Justices' Clerks or Clerks of the Peace may lawfully demand and receive for services necessarily imposed upon them."

Press. 1, line 12: After "that" expunge the remainder of the Bill, and insert "from and after the passing of this Act it shall and may be lawful for the Magistrates in General Quarter Sessions Assembled in each and every District in this Province, from time to time to declare the Fees to be received by Justices of the Peace, Justices' Clerks, or the several Clerks of the Peace therein, which, being confirmed by His Majesty's Court of King's Bench shall and may be lawfully taken by them respectively.

Mr. Hagerman, seconded by Mr. Casey, moves that the said amendments be read a second time this day three months. Which was ordered.

The House then adjourned till ten o'clock a.m. on Monday.

Monday, 17th March, 1823.

The House met: Prayers were read: The Minutes of Saturday were read.

Agreeably to the order of the day, the House was called. Absent, Mr. Casey.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Harris Pot and Pearl Ashes Patent Bill, which they had passed with some amendments, to which they requested the concurrence of this House.

Mr. Willson, of Wentworth, seconded by Mr. Hamilton, of Wentworth, moves that the said amendments be now read the second time. Which was carried, and the amendments were read the second time, adopted, and signed by the Speaker.

Mr. Willson, of Wentworth, seconded by Mr. Hamilton, of Wentworth, moves that Messrs. Hamilton, of Wentworth, and Walsh be a Committee to inform the Hon. the Legislative Council of the concurrence of this House in the said amendments. Which was ordered.

Mr. Burwell, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House relative to Public Accounts, reported having delivered the same, and that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly:

I little thought that anything would happen during the course of this Session that could possibly disturb the good understanding which prevailed between me and this branch of the Legislature.

It is therefore with great concern that I have attended to this Address, in which there is a matter of such nature and effect with respect to my government as make it necessary for me to animadvert thereupon in the most decided manner. I would

not willingly suppose that you have approached me with the deliberate intention of misrepresenting my Administration, but how then shall I account for your declaring that such confusion and perplexity exists in my manner of accounting for the application of your supplies that you are compelled to return to your Constituents without being able to give them any other reason for voting the Public Money than the pleasure of the Executive; and that such is the want of details that you have not the opportunity of inquiring into any improper or extraordinary expenditure; the state of things you have described can proceed from nothing short of the will or other incompetency. When the misrepresentations of individuals exceed certain bounds the law provides a remedy and protects the public peace. On the present occasion my appeal must be addressed to the honor of the House and the particular conscience of each and every one of its Members.

But if the matter which you have just pronounced is to be considered as proceeding from mature reflection how will you explain to your Constituents the fact of your having just unanimously voted the supply; will you attribute it to your feeling for the necessities of the Public Service? I am answerable for the Public Service, and I solemnly deny the validity of the plea. But you must be sensible while you thus complain of the confusion and perplexity of the Public Accounts that they are given to you in the same shape that has been satisfactory to this Legislation for more than thirty years.

Nor can any one of you be possibly ignorant that an Account in detail is rendered each Session to your House for every service that has been defrayed from your Supply, not a fraction of which has been expended that has not been as duly accounted for, for I attest the printed Copies of the Public Accounts published by your order to place the matter beyond all doubt.

In order that you might be thoroughly informed the usual accounts were laid before you soon after the opening of the Session; had they equalled in volume those of the Parent State you might undoubtedly have been masters of them before you voted the Supply. No dispatch was required of you; they were not recommended, as is frequently the case, to your early attention; the Public Service would have been put to no inconvenience whatever by your doubling the period for examination if you thought it necessary, and no explanation respecting the application of your Supply has ever been solicited of me in vain.

But if your object has been, as your Address in part appears to imply, to obtain a control over those means that by the British enactments that establish our Constitution resides with the Lords of His Majesty's Treasury in behalf of the King, it would have been more manly and candid to have applied for them in distinct terms, and you would have found me authorized to express my Sovereign's pleasure on that subject. I must add that any information solicited from me by courtesy, and not as a matter of right, even with respect to these documents, has never been refused; they have been occasionally placed in the hands of Members of Your House. Concealment has never been the rule of my government, nor is it congenial with my disposition, but I will never compromise the rights of my Sovereign in order to avoid the pain of contending against unmerited misrepresentation.

I trust that I shall always be found as ready to consult and protect the just rights and interests of this Loyal People as any branch of this Legislature.

If, therefore, you are not conscientiously satisfied with your investigation of the Public Accounts, I earnestly recommend that you should revise them. The Bill of supply, although it has passed two branches of the Legislature, has not yet been confirmed by the Royal assent; I can yet afford you the opportunity of recalling

those Members who returned into their own Counties after your unanimous vote on Supply, impressed with the belief that the important business of the Session was concluded, and before this Address was brought forward. I notice this in justice to your House. Should you consider it desirable to adopt the measure I have suggested you will find me still ready to afford you in the prosecution of it every light and assistance which you can with propriety require.

Doors were closed.

Doors were opened.

Dr. Baldwin, seconded by Mr. Burwell, moves that he have leave to move an Address to His Excellency the Lieutenant Governor on the subject of his Reply of this Day. Which was carried and the Address was read the first time.

Dr. Baldwin, seconded by Mr. Burwell, moves that the Address to His Excellency be now read a second time. Which was carried, and the Address was read the second time.

Dr. Baldwin, seconded by Mr. Burwell, moves that the Address be now adopted, and that it be engrossed and read a third time this day. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hagerman, Baldwin, Randal, Clark, Horner, Willson (Wentworth), Wilmot, Shaver, Walsh, Burwell, Casey, Nichol, Crooks, McDonell, Hamilton (Lincoln).

Nays: Messrs. Hamilton (Wentworth), Kerr, Chisholm.

The question was carried in the affirmative by a majority of twelve, and the Address was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.,

May it please Your Excellency: We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave respectfully to assure Your Excellency that our regret at the occurrence of any circumstance tending to disturb the good understanding which prevailed between Your Excellency and the House of Assembly is as ample and sincere as that expressed in Your Excellency's reply to our Address on the subject of the Public Accounts; and that reverting not only to our own motives, which are collectively and individually free from all intention of personal offence to Your Excellency, but also to the Parliamentary and constitutional pledge interchanged between Your Excellency and the House of Assembly through our Speaker at the opening of the present Parliament, "that the most favorable construction would be put on all our words and actions," we felt secure from the reproach of addressing our Sovereign's Representative with any deliberate intention of misrepresenting his Administration.

It is not possible that we could give a more decided proof of our confidence in Your Excellency's integrity and honor than that while informing Your Excellency of the defective form of the Public Accounts we have unanimously passed a Bill of Supply for the current year.

We respectfully beg leave to remark to Your Excellency that although the present forms of the Public Accounts have been used for thirty years past, yet experience has shown that these forms are unfit to be continued, as in truth occasioning all the perplexity and confusion complained of in our Address to Your Excellency on the subject.

In addressing Your Excellency on a branch of Your Administration so peculiarly under our care, we deem ourselves discharging an important duty, interwoven with our Constitutional Rights. We therefore humbly hope that with this explanation Your Excellency will be pleased to recognize in our Address an anxiety for the discharge of our Public Duties; an anxiety without doubt as acceptable to Your Excellency as to our constituents, and that Your Excellency, thus assured of our sentiments, will please to give to our Address your most favorable construction, which must preclude the idea of any intention of reflecting upon Your Excellency's Administration.

Commons House of Assembly, 17th March, 1823. LEVIUS P. SHERWOOD, Speaker.

Dr. Baldwin, seconded by Mr. Willson, moves that Messrs. Hamilton of Lincoln, and Crooks be a Committee to wait upon His Excellency the Lieutenant Governor, to know when His Excellency will be pleased to receive our reply to his answer to our Address on the subject of Public Accounts, and to present the same.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 18th March, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to order, the House was called. Absent: Mr. Shaver.

Mr. Hamilton of Lincoln, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House in reply to His Excellency's answer to our Address on Public Accounts, reported having delivered the same, and that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly: Although I understand from what I have now heard that you do not intend to avail yourselves of my suggestion respecting the revision of the Public Accounts, having been entirely satisfied of their accuracy in your former investigation of the full details which were laid before you, yet I feel much gratified that you have enjoyed an opportunity of removing the erroneous impression that your Journals, which it is a part of my duty to transmit to His Majesty, would otherwise have given respecting the admirable sentiments and conduct which have characterized the House of Assembly.

My warmest acknowledgments are justly due to you for the readiness with which you have granted your Supply in aid, not only in two former Sessions, but also in the present, in which you have given an additional value to your vote by entire unanimity.

You may be assured that I shall most readily cause any practicable alteration to be effected in the method of accounting to you for the Supplies voted by this House that can have the desired effect of making the details more easily understood; and I must add that the slightest intimation in either of your former Sessions that you had desired such a change would have been sufficient to have insured my order for its immediate adoption.

I am advised that I have entrenched upon usual observances in alluding in my answer to Your Address to the absence of many Members from Your House.

Feeling always anxious to avow an inadvertence, I take the earliest opportunity of making this acknowledgment.

Doors closed.

Doors opened.

The House then adjourned till nine o'clock to-morrow.

Wednesday, 19th March, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the House was called. Absent: Mr. Shaver.

Mr. Nichol, from the Committee to whom was referred the Contingent Accounts of the present Session, informed the House that the Committee had agreed to a Report, which he was directed to submit to the House. Ordered, that the Report be received, and it was read as follows:

Your Committee, having examined the various accounts and claims referred to them and classed therein, respectfully observe that the contingencies of the last and present Sessions greatly exceed those of previous Sessions, which may be accounted for by the increased number of Members, the important matters discussed, and the great quantity of printing ordered during both Sessions.

The employment of a Reporter by the House, which has occasioned so great an addition to the contingencies, though a novel measure in Legislation, having been ordered by Your Honorable House, the expenses however high must of course be defrayed.

With respect to the other items of the Account, Your Committee, having submitted them in a condensed form with the vouchers to the consideration of the House, they forbear making any observations on them, with the exception of the sums applied for by the Serjeant at Arms, Messengers and Door-Keepers, which Your Committee are of opinion ought to be allowed, as the allowances to those Officers are very moderate, and the Sessions much longer than when those appointments were first made.

An Application has been made by the Printer of the Laws for an alteration in the provision for paying for that service, which application is, in the opinion of Your Committee, well founded. The Printer is desirous that he should be paid for the quantity of work performed at the regular price of the trade, and not by a specific sum. Your Committee therefore recommend that an Address be presented to His Excellency the Lieutenant Governor praying His Excellency to advance whatever sum may be necessary for defraying this charge after the appropriation shall have been expended on this Account.

Your Committee, in conclusion, recommend that it be resolved that an Humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to issue His Warrant to the Receiver General in favour of John Powell, Esq., Clerk of the Honorable the Legislative Council, for the sum of One Hundred and Ninety-five Pounds, Fourteen Shillings and Elevenpence Halfpenny, for certain contingent expenses thereof during the present Session.

Also, in favour of William Lee, Esquire, Gentleman Usher of the Black Rod, for certain contingent expenses of the Honorable the Legislative Council during the present Session for the sum of One Hundred and Fifty-seven Pounds, Seventeen Shillings and One Penny Halfpenny.

Also in favour of Grant Powell, Esquire, Clerk of the House of Assembly, to enable him to pay the Contingencies of his office for the last and present Sessions,

and also to enable him to carry into effect the orders of this House, for the sum of One Thousand Six Hundred and Sixty-six Pounds, Four Shillings and a Halfpenny.

Also in favour of Allan McNab, Esquire, Serjeant at Arms, to enable him to discharge sundry Contingent Expenses for the last and present Sessions, Two Hundred and Eighty-two Pounds Seventeen Shillings and Tenpence Halfpenny.

All which is respectfully submitted,

Robt. Nichol, Chairman.

Mr. Nichol, seconded by Mr. Willson, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the Report of the Select Committee on the Contingent Accounts. Which was carried, and Mr. Randal took the Chair of the Committee.

The House resumed. Mr. Randal reported that the Committee had agreed to several Resolutions, which he was directed to submit for the adoption of the House. Ordered, that the Report be received, and it was

Resolved, 1st, That in addition to the sum of One Hundred Pounds voted during the present Session the sum of Twenty-five Pounds be voted to compensate the Printer Carey for newspapers continuing the debates of this House after the close of the Session.

Resolved, 2nd, That in addition to the sum of Seven Pounds Ten Shillings recommended by the Select Committee to compensate James Lumsden for his services during the present Session, the sum of Five Pounds be granted.

Resolved, 3rd, That in addition to the sum of Five Pounds to the Serjeant at Arms, the additional sum of Seven Pounds Ten Shillings be granted for superintending repairs.

Resolved, 4th, That in addition to the sum of Twenty Pounds per annum allowed to Hugh Carfrae, Door-Keeper to the Honorable the Legislative Council, the sum of Twenty Pounds be granted.

Resolved, 5th, That Robert Nichol, Esquire, has rendered great and important services to this Province in its financial concerns with Lower Canada for many years past.

Resolved, 6th, That an Humble Address be presented to His Excellency the Lieutenant Governor praying that he will be graciously pleased to advance to Robert Nichol, Esq., the sum of £———, and to assure His Excellency that this House will make good the same.

On the seventh Resolution being put the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Horner, Randal, Hamilton (Wentworth), Chisholm, Willson (Wentworth), Kerr, Burwell, Crooks, Wilmot, McDonell.

Nays: Messrs. Clark, Walsh, Casey, Baldwin.

The question was carried in the affirmative by a majority of six, and it was

Resolved, 7th, That the blank be filled up with Two Hundred and Fifty Pounds, to be granted for this purpose, and that this House will make good the same at the next Session of Parliament.

Mr. Burwell, seconded by Mr. Wilmot, moves that Messrs. Crooks and McDonell be ordered to draft an Address to His Excellency the Lieutenant Governor in pursuance of the Resolutions of this House on the Report of the Committee on Contingent Accounts. Which was ordered.

Mr. Hamilton of Wentworth, seconded by Mr. Chisholm, moves that Messrs. Willson and Wilmot be a Committee to draft an Address to His Excellency the

Lieutenant Governor pursuant to the Resolutions of this House respecting Robert Nichol, Esquire. Which was ordered.

Mr. Willson of Wentworth, from the said Committee, reported a draft, which was received and read the first time.

Mr. Burwell, seconded by Mr. Wilmot, moves that the said Address be now read the second time. Which was carried, and the Address read the second time.

Mr. Crooks, from the Committee to draft an Address to His Excellency the Lieutenant Governor relative to the Contingent Accounts of the present Session, reported a draft, which was received and read the first time.

Mr. Burwell, seconded by Mr. Wilmot, moves that the said Address be now read the second time. Which was ordered, and the Address was read the sceond time.

Mr. Burwell, seconded by Mr. Crooks, moves that the said Address be now concurred in, and that it be engrossed and read the third time this day. Which was ordered.

According to the order the said Address was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.,

May it please Your Excellency: We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to request that Your Excellency will be pleased to issue Your Warrant to the Receiver General of this Province in favour of John Powell, Esquire, Clerk of the Honorable the Legislative Council, for the sum of One Hundred and Ninety-five Pounds, Fourteen Shillings and Elevenpence Halfpenny, for certain Contingent Expenses thereof during the present Session.

Also in favour of William Lee, Esquire, Gentleman Usher of the Black Rod, for certain Contingent Expenses of the Honorable the Legislative Council during the present Session the sum of One Hundred and Fifty-seven Pounds, Seventeen Shillings and one Penny Halfpenny.

Also in favour of Grant Powell, Esquire, Clerk of the House of Assembly, to enable him to pay the Contingencies of his Office, the sum of One Thousand Six Hundred and Ninety-six Pounds, Four Shillings and One Halfpenny.

Also in favour of Mr. Allan McNabb, Serjeant at Arms, to enable him to discharge sundry Contingent Expenses of the present Session, Two Hundred and Ninety Pounds, Seven Shillings and Tenpence halfpenny. Which sum His Majesty's Faithful Commons will make good during the next Session of the Provincial Legislature.

Commons House of Assembly, LEVIUS P. SHERWOOD, Speaker.
19th March, 1823.

Mr. Willson of Wentworth, seconded by Mr. Hamilton of Wentworth, moves that the Address to His Excellency the Lieutenant Governor, praying him to advance a sum of money to Robert Nichol, Esq., be engrossed and read a third time this day. Which was ordered.

Mr. Hamilton of Lincoln, seconded by Mr. Casey, moves that Messrs. Baldwin and Hamilton of Wentworth be a Committee to carry up to His Excellency the Lieutenant Governor the Address on the Contingent Accounts, and to request to know when His Excellency will be pleased to receive it, and to present the same. Which was ordered.

Mr. Nichol, seconded by Mr. McDonell, moves that an Humble Address be presented to His Excellency the Lieutenant Governor on the Resolutions of this House relative to the printing of the Laws. Which was carried, and the Address was read the first time.

Mr. Nichol, seconded by Mr. McDonell, moves that the Address be now read the second time. Which was carried, and the Address read the second time.

Mr. Nichol, seconded by Mr. McDonell, moves that the Address be concurred in and engrossed and read a third time this day. Which was ordered.

Agreeably to order, the Address was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.,

May it please Your Excellency: We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to state to Your Excellency that it having been represented to us by His Majesty's Printer that the sum appropriated by Statute to defray the expense of printing the Laws is insufficient for that purpose, we are desirous of providing for the same, and pray that Your Excellency will be pleased to direct the advance of such sum as may be necessary to cover that expense, which this House will make good at its next Session.

Levius P. Sherwood, Speaker.

Commons House of Assembly, 19th March, 1823.

Mr. Nichol, seconded by Mr. Hagerman, moves that Messrs. McDonell and Crooks be directed to carry up the Addresses to His Excellency the Lieutenant Governor, and to present the same. Which was ordered.

Agreeably to order, the Address to His Excellency the Lieutenant Governor on the subject of an advance to Robert Nichol, Esq., was read the third time, passed and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, etc.,

May it please Your Excellency: We, His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave respectfully to request that Your Excellency will be graciously pleased to advance to Robert Nichol, Esq., the sum of Two Hundred and Fifty Pounds, for various and important services by him rendered in matters relative to the concerns between this Province and Lower Canada; and we, His Majesty's Faithful Commons, will make good the same at the next ensuing Session of Parliament.

Levius P. Sherwood, Speaker.

Commons House of Assembly, 19th March, 1823.

Mr. Burwell, seconded by Mr. Chisholm, moves that Messrs. McDonell and Crooks be ordered to wait upon His Excellency the Lieutenant Governor with the Address of this House respecting Robert Nichol, Esq.; to know when His Excellency will be pleased to receive it, and to present the same. Which was ordered.

Mr. McDonell, from the Committee to wait upon His Excellency the Lieutenant Governor with the several Addresses of this House of this day, reported having delivered the same, and that His Excellency was pleased to make the following replies:—

Gentlemen of the House of Assembly:—I shall, in compliance with the request contained in Your Address, direct Warrants to be prepared for defraying the contingent expenses of the Honorable the Legislative Council and the House of Assembly.

Gentlemen of the House of Assembly:—In this and in all other cases in which my consent to an application of the Public Money is solicited, I am directed by His Majesty's instructions to withhold my assent except it be for the contingencies of either House of Parliament, unless the requisition is made with the concurrence of both branches of the Legislature.

Gentlemen of the House of Assembly:—You will always find me ready to make any advance for the contingencies of either House of the Provincial Parliament; but in all other respects I am constrained by His Majesty's instructions from assent unless at the concurrent request of the two Branches of the Legislature.

Mr. Willson, of Wentworth, seconded by Mr. Hamilton, of Wentworth, moves that the Honorable the Legislative Council be requested to join in an Address to His Excellency the Lieutenant Governor, praying he will be pleased to advance a sum of money in aid of the appropriation for printing Statutes, and also in another Address praying His Excellency to advance a sum of money to remunerate Robert Nichol, Esq., for services by him rendered to this Province respecting our Financial relations with Lower Canada. Which was carried.

Mr. Burwell, seconded by Mr. Willson, moves that it be resolved that if the Honorable the Legislative Council concur therein, a Joint Address be presented to His Excellency the Lieutenant Governor, praying him to advance a sum of money in aid of the annual appropriation for printing the Statutes, and also to Robert Nichol, Esquire, to remunerate him for the services mentioned in the foregoing Resolution. Which was carried.

Mr. Willson, of Wentworth, seconded by Hamilton, of Wentworth, moves that Messrs. Burwell and Wilmot be a Committee to carry up to the Honorable the Legislative Council the Resolutions of this House, and request their concurrence thereto. Which was ordered.

Mr. Burwell, from the Committee to carry up to the Honorable the Legislative Council a Message on the foregoing Resolutions reported having delivered the same.

At half past one o'clock, Mr. Lee, Gentleman Usher of the Black Rod, came to the Bar, and delivered the Command of His Excellency the Lieutenant Governor for the immediate attendance of this House at the Bar of the Honorable the Legislative Council Chamber, and having withdrawn:

Mr. Speaker and the House forthwith proceeded to the Bar of the Honorable the Legislative Council Chamber, when His Excellency was pleased to give the assent in His Majesty's name to the following Bills, viz.:

An Act to provide for the establishment of a Public School in the District of Ottawa.

An Act for the Relief of John Boswell.

An Act to permit the importation of machinery into this Province Free of Duty for a limited time.

An Act granting to His Majesty a sum of Money for the support of a Public School in the Bathurst District.

An Act granting to His Majesty a sum of money to be applied in the payment of a salary to the Sheriff of the Bathurst District.

An Act to provide for the erection of a Gaol and Court House in the Home District.

An Act to provide for the completion of the Gaol and Court House in the London District of this Province.

An Act to continue for a limited time an Act passed in the fifty-eighth year of His late Majesty's Reign, intituled, "An Act granting to His Majesty a duty on Licenses to Auctioneers, and on goods, wares and merchandise sold by auction."

An Act to continue for a limited time an Act passed in the fifty-eighth year of His Majesty's Reign, intituled "An Act granting to His Majesty duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and other Trading persons therein mentioned, and to extend the provisions of the same."

An Act for the Relief of Teachers of Common Schools in the Niagara District.

An Act to repeal part of the Tenth Clause of an Act passed in the fifty-eighth year of His late Majesty's Reign, intituled "An Act to explain, amend, and reduce to one Act of Parliament the several Laws now in being for the Raising and Training the Militia of this Province," and also part of an Act passed in the last Session of the Present Parliament, intituled "An Act to repeal part of and amend the Laws now in force for the Raising and Training the Militia of this Province," and to increase the strength of the Companies of Militia.

An Act to repeal and amend part of an Act intituled "An Act to incorporate sundry persons under the style and title of the President, Directors, and Company of the Bank of Upper Canada."

An Act granting to His Majesty a sum of money for the purposes therein mentioned.

An Act providing for the publication of Reports of the Decisions of His Majesty's Court of King's Bench in this Province.

An Act to afford relief to persons in this Province claiming lands therein under assignments from Heirs and Devisees or Assignees of the original nominees of the Crown in cases where no patents have issued, and for other purposes therein mentioned.

An Act for the division of the Township of Ameliasburgh, in the County of Prince Edward.

An Act for the relief of George DeLong, George Bates, Alexander Gardner, Thomas Dowsley and James Smith.

An Act to restrain the selling of Beer, Ale, Cider, and other liquors not spirituous in certain Towns and Villages in this Province, and to regulate the manner of Licensing Alehouses within the same.

An Act to repeal part of an Act passed in the first year of His Majesty's Reign, intituled "An Act for altering the time of holding the General Quarter Sessions of the Peace in the Home District, and further to fix the time of holding the said Sessions."

An Act to repeal part of an Act passed in the fifty-ninth year of His late Majesty's Reign, intituled "An Act to repeal an Ordinance of the Province of Quebec, passed in the twenty-fifth year of His late Majesty's Reign, intituled 'An Ordinance concerning Land Surveyors and the Admeasurement of Land,' and also to extend the provisions of an Act passed in the thirty-eighth year of His Majesty's Reign, intituled 'An Act to ascertain and establish on a permanent footing the Boundary lines of the different Townships of this Province, and further to regulate the manner in which lands are hereafter to be surveyed in so far as it affects the Township of Cramahe, and to make other provisions for ascertaining the Side Lines of Lots within the same, and also to authorize the correction of the Eastern Side Line of the said Township.' "

An Act for the better preservation of the Herring Fishery at the Outlet of Burlington Bay.

An Act prescribing the mode of measuring the contents of Wooden Stills, also fixing the rate of duty to be paid on all Stills used for the distillation of Spirituous Liquors within this Province.

An Act vesting in the hands of certain Commissioners therein all the Stock, Debts, Bonds, and Property of the pretended Bank of Upper Canada, lately established at Kingston, for the benefit of the Creditors of that Institution.

An Act granting to His Majesty a sum of money for the purpose therein mentioned.

An Act to repeal part of, and to amend and extend the provisions of an Act passed in the second year of the Reign of His present Majesty, intituled "An Act to repeal the Laws now in force relative to the preservation of Salmon, and to make further provision respecting the Fisheries in certain parts of this Province, and also to prevent Accidents by fire from persons fishing by torch or fire light."

An Act to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor in pursuance of the Address of the House of Assembly of this Province.

An Act granting to His Majesty a sum of money to defray certain charges for the Administration of Justice and support of the Civil Government of this Province.

An Act to provide a salary for the Adjutant General of Militia in this Province, and for other purposes therein mentioned.

An Act to authorize the Rector and Church Wardens of St. George's Church, Kingston, to surrender certain Lands therein mentioned.

An Act to continue and amend an Act passed in the fifty-ninth year of His late Majesty's Reign, intituled "An Act for establishing a Police in the Town of Niagara in the District of Niagara," and for other purposes therein mentioned.

An Act to provide an additional allowance to the Rev. Robert Addison, Chaplain of the House of Assembly, for his long and faithful services as Chaplain thereof.

An Act to repeal an Act passed in the thirty-second year of His late Majesty's Reign, intituled "An Act to establish the Winchester measure, and a Standard for other Weights and Measures throughout this Province," and to appropriate a sum of money for the purpose of obtaining a Standard for Weights and Measures for this Province.

An Act for the relief of Matthew Crooks, Esq.

An Act to make additional provision for the improvement of the Inland Navigation of this Province.

An Act to provide for the appointment of Commissioners to investigate the claims of certain Inhabitants of this Province for losses sustained by them during the late War with the United States of America, and for other purposes therein mentioned.

An Act to provide for constructing a Navigable Canal between Burlington Bay and Lake Ontario.

His Excellency was pleased to reserve the Bills intituled,

"An Act to repeal part of an Act passed in the thirty-third year of His late Majesty's Reign, intituled 'An Act to establish a Court of Probate in this Province, and also a Surrogate Court in every District thereof,' also part of an Act passed during the last Session of the Present Parliament, intituled 'An Act to reduce into one Act the several Laws now in force establishing District Courts, and

regulating the practice thereof, and also to extend the powers of the said District Courts,' and also part of an Act passed during the present Session, intituled 'An Act to provide for the establishment of Courts in the District of Bathurst, and for other purposes therein mentioned,' and also to alter the times of holding the District and Surrogate Courts, and further to extend the powers of the said District Courts;"

"An Act granting to Daniel Harris, of Toronto, in the Home District of this Province the exclusive privilege of using or permitting to be used his new invented method of manufacturing Pot and Pearl Ashes for the time therein mentioned;" and

"An Act granting to His Majesty a sum of money annually, to defray the interest on a loan to be raised for compensating certain of the Inhabitants of this Province for losses sustained by them during the late War with the United States of America" for the signification of His Majesty's pleasure thereon.

The Royal Assent was withheld from the Bill intituled "An Act for the Relief of John P. Clement."

His Excellency was then pleased to address the two Houses with the following most gracious Speech:

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:

The state of the Public business not requiring the continuance of your deliberations I think it proper to close this Session of the Provincial Parliament.

The gratification which you would otherwise have enjoyed in promoting works of public utility has unavoidably been limited by the temporary diminution in our receipt from Quebec, and by the demand upon the Public Revenue for defraying the interest of the projected Loan for the relief of the sufferers by the late War, a measure which was proposed for your consideration at the opening of this Session. The Bill which you have presented to me for this purpose is from its nature necessarily reserved for the signification of His Majesty's pleasure.

The consideration which you have given to the Laws about to expire, and particularly the judicious amendments you have made in continuing the Act for regulating the Duty on Stills, call for my warm acknowledgments.

I feel persuaded that very important benefits will result from the pains which you have taken in order to procure a faithful and authoritative record of Judgments pronounced in the Court of King's Bench. By the means which you have afforded me, though not, I fear, sufficiently ample to defray the charge of an additional circuit into all those Districts with which there may be a suitable communication by Land from this Seat of Government, I shall, nevertheless, be enabled to establish a second Assize in those which from their increase in population call for it in a more particular manner. I had hoped it might have been found possible to extend the advantage of such Gaol Deliveries to other parts of the Province by some enactment which would enable prisoners to claim privilege of trial at the nearest Assize, and I hope that it may hereafter be found practicable by some temporary provision to accomplish this object. By these measures you have shown yourselves anxious to ensure to your country those solid benefits of security, peace, and good order, which are only to be completely enjoyed when our great Constitutional principle of Government by Law is rendered effectual by the easy and upright administration of Justice.

Gentlemen of the House of Assembly:

I thank you in the name of His Majesty for the Supplies you have unanimously voted for the services of the year.

In addressing you probably for the last time I feel much gratified in being enabled to express to you my approbation of the principles which have governed your appropriation of the Public Means, and which have been characterized as well by a scrupulous attention to the interests of the people as by a proper regard to the Honorable support of His Majesty's Government.

Honorable Gentlemen and Gentlemen:

The contemplated Union of the Legislatures is still depending in His Majesty's Councils, in which I am authorized to assure you there exists the greatest anxiety to promote by every means the interests, safety and prosperity of the Canadas.

Whatever measures shall be finally adopted will proceed only from this principle, and with a decided aim to accomplish those objects. Such is your Sovereign's paternal feeling respecting this valued portion of his Dominions should a more extensive field of legislation be opened to your exertions, His Majesty entertains a confident expectation that you will carry into it a spirit of harmony and conciliation, with that disposition to promote His Majesty's honor and his people's welfare which has so eminently distinguished your conduct, and the happy effects of which have been so manifest, not only within the circle of this Province, but as you have in a particular manner of late experienced in that consideration and confidence which it has acquired for the Representatives of this Legislature with the Government of the Parent State.

After which the Honorable the Speaker of the Legislative Council declared that it was His Excellency's pleasure that the Parliament be prorogued to Monday, the 28th day of April next, and declared the said Parliament prorogued to the said 28th day of April, to be then and here holden.

A True Copy, GRANT POWELL, Clerk Assy.

Certified to be true copies from the Records of the Colonial Office.

GEORGE MAYER,
Librarian and Keeper of the Records.

Downing Street, 31st August, 1857.

JOURNAL

OF THE

HOUSE OF ASSEMBLY

OF

UPPER CANADA

From the eleventh day of November, 1823,

to the nineteenth day of January,

1824.

Being the Fourth Session of the Eighth Provincial Parliament, in the fourth and fifth years of the Reign of

KING GEORGE THE FOURTH

JOURNAL

OF THE

HOUSE OF ASSEMBLY

OF

UPPER CANADA

1823-1824.

PROCLAMATION.

UPPER CANADA.

P. MAITLAND, Lieutenant Governor.

George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To Our Beloved and Faithful Legislative Counsellors of Our Province of Upper Canada, and to Our Knights, Citizens and Burgesses of Our said Province, to Our Provincial Parliament at Our Town of York on the Twenty-eighth day of April instant to be commenced, held, called and elected and to every one of you Greeting.

Whereas, on the Nineteenth day of March last, we thought fit to prorogue Our Provincial Parliament to the twenty-eighth day of April instant, at which time at Our Town of York you were held and constrained to appear. Now know Ye, that We taking into Our Royal consideration the ease and convenience of Our Loving Subjects, have thought fit by and with the advice . . . . of our Executive Council, to relieve you and each of you of your attendance at the time aforesaid, hereby convoking and by these Presents enjoining you and each of you that on Wednesday the Twenty-first day of May, . . . next ensuing, you meet us in Our Provincial Parliament at Our Town of York, there to take into consideration the state and welfare of our Province of Upper Canada, and therein to do as may seem necessary, and herein fail not.

In testimony whereof we have caused these Our Letters to be made Patent, and the Great Seal of Our said Province to be hereunto affixed.

Witness Our Trusty and Well Beloved Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of Our said Province and Major General Commanding Our Forces therein at York, this fourteenth day of April, in the year of Our Lord One Thousand Eight Hundred and Twenty-three, and in the Fourth year of Our Reign.

By His Excellency's Command, P. M.

D. Cameron, Secy.

H. J. Boulton, Solicitor General.

By a further proclamation of His Excellency Sir Peregrine Maitland, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Fourteenth day of April, One Thousand Eight Hundred and Twenty-three, the meeting of the Legislative Council and House of Assembly stands further prorogued to the Twenty-first day of May next ensuing.

By a further proclamation of Sir Peregrine Maitland, K.C.B., Lieutenant Governor of the Province of Upper Canada, dated the Fourteenth day of May, One Thousand Eight Hundred and Twenty-three, the Meeting of the Legislative Council and House of Assembly stands further prorogued to the Twenty-Third day of June next ensuing.

By a further proclamation of Sir Peregrine Maitland, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Eighteenth day of June, One Thousand Eight Hundred and Twenty-three, the meeting of the Legislative Council and House of Assembly stands further prorogued to the Twenty-fourth day of July next ensuing.

By a further proclamation of Sir Peregrine Maitland, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Twenty-fourth day of July, One Thousand Eight Hundred and Twenty-three, the meeting of the Legislative Council and House of Assembly stands further prorogued to the First day of September next ensuing.

By a further proclamation of Sir Peregrine Maitland, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Twenty-third day of August, One Thousand Eight Hundred and Twenty-three, the meeting of the Legislative Council and House of Assembly stands further prorogued to the Ninth day of October next ensuing.

By a further proclamation of Sir Peregrine Maitland, K. C. B., Lieutenant Governor of the Province of Upper Canada, dated the Second day of October, One Thousand Eight Hundred and Twenty-three, the meeting of the Legislative Council and House of Assembly stands further prorogued to the Seventeenth day of November next ensuing.

PROCLAMATION.

UPPER CANADA.

P. MAITLAND, Lieutenant Governor.

George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To Our Beloved and Faithful Legislative Councillors of Our Province of Upper Canada, and to Our Knights, Citizens and Burgesses of Our said Province to Our Provincial Parliament at Our Town of York, on Monday the Seventeenth day of November next, to be commenced, held, called and elected, and to every of you, Greeting.

Whereas by Our Proclamation bearing date the second day of October instant, we thought fit to prorogue Our Provincial Parliament to the Seventeenth day of November next, at which time at Our Town of York you were held and constrained to appear. Now know ye that we taking into Our Royal consideration the ease and convenience of Our Loving Subjects have thought fit by and with the advice of Our Executive Council to relieve you and each of you of your attendance at the time aforesaid, hereby convoking and by these presents enjoining you and each of you that on Tuesday the Eleventh day of November now next ensuing you meet us in Our Provincial Parliament in Our Town of York, for the Actual despatch of Public Business, there to take into consideration the state and welfare of Our Province of Upper Canada, and therein to do as may seem necessary, and herein fail not.

In testimony whereof we have caused these our Letters to be made patent, and the Great Seal of Our said Province to be hereunto affixed.

Witness Our Trusty and Well Beloved Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of Our said Province, and Major General Commanding Our Forces therein at York, this Ninth day of October, in the year of Our Lord, One Thousand Eight Hundred and twenty-three, and in the Fourth year of Our Reign.

By His Excellency's Command, P. M.

D. Cameron, Secy.

J. B. Robinson, Attorney General.

Tuesday, 11th November, 1823.

The House met.

At half past two o'clock p.m., the Gentleman Usher of the Black Rod brought down the Commands of His Excellency the Lieutenant Governor for the immediate attendance of the Speaker and the House at the Bar of the Legislative Council Chamber.

Mr. Speaker and the Members present then went up to the Legislative Council Chamber and returned, Mr. Speaker informed the House that George Ham, Esquire, a Member elected to represent the Incorporated Counties of Lenox and Addington had been sworn and was in the House.

Mr. Ham was then introduced by Mr. Casey and conducted to his seat.

Mr. Willson of Wentworth gives notice that he will move on next Thursday week that the House resolve itself into a Committee of the Whole, to take into consideration the propriety of making such alterations in the existing code of Criminal Laws now in force in this Province, as may tend the better to equalize the punishment inflicted upon persons offending against the same to the offences committed. Mr. Speaker then reported that His Excellency had been pleased to open the Session with a Speech to both Houses, of which to prevent mistakes he had obtained a copy. Ordered that the Speech be read and it was read as follows:

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly: I have much satisfaction in meeting you at a period, in which nothing in the situation of Foreign Affairs appears likely to disturb the peace of the United Empire, when a spirit of contented industry and obedience to the laws prevails generally among the people of this Colony, and the depression of value in the chief productions of the Country, consequent upon the termination of the war, is gradually diminishing. On the review of our internal conditions I am sensible that much benefit has attended the wise and temperate manner in which those powers and privileges have been exercised which are vested by the Constitution in this great Council of the Province.

Gentlemen of the House of Assembly: I have ordered the proper officer to lay before you the Public Accounts, and the Estimates for the ensuing year, and I rely on your wisdom and just liberality to make such provision as shall be requisite for the proper support of His Majesty's Government. I am not at present enabled to inform you in what manner the recent measures of the Imperial Parliament for the general regulation of the Colonial Trade have affected that portion of our revenue which is collected at the Port of Quebec; but a change tending to remove restrictions upon Commerce, may be expected naturally to have produced a result beneficial to our finances: notwithstanding the economy which you have practised

and to which I have always been desirous to give effect, I regret that the Provincial Treasury is not in a situation that will enable you to afford material aid to the variety of Public objects which it is desirable to promote; but I trust that at no very distant period the resources of this Colony will, without any severe additional burthens on the people, rise so far above the ordinary demands, that it will be in the power of the Legislature to give an effectual impulse to public improvement.

Honorable Gentlemen and Gentlemen: Since the close of the last Session, the Arbitrators appointed under the Canada Trade Act have reported their decision on the arrears of Revenue due to Upper Canada from the Sister Colony. The amount awarded has not yet been paid into the Treasury of this Province, but I am assured that no material delay is to be apprehended.

You will doubtless direct your attention to such Provincial Laws as are about to expire; of these the Enactment for regulating our Commercial intercourse with the United States of America will appear of most immediate importance, and to require more than ordinary consideration; in order that its provisions may be rendered consistent with the spirit of the Acts which have been recently passed by the Imperial Parliament, to regulate the Trade of the British Colonies in general, and in particular of His Majesty's North American Provinces.

The cordial intercourse so happily established between the two Houses of this Legislature upon a practical discernment of their just and constitutional relations, and my past experience of your public spirit, afford me the best assurance, that whatever matters of general interest I shall find it expedient to bring before you, will be entertained with zeal and attention; and I rely upon the steady continuance of your exertions in pursuit of such objects, as may tend under the favor of Divine Providence to improve the growing resources of the Country, and to increase and confirm the sound welfare of the people.

Mr. Morris, seconded by Mr. Bostwick, moves that the Speech of His Excellency the Lieutenant Governor at the opening of the present Session of Parliament be taken into consideration to-morrow. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Morris, moves for leave to bring up the Petition of the Inhabitants of Upper Canada. Which was granted, and the Petition laid on the Table.

Mr. Jones of Grenville, seconded by Mr. Morris, moves for leave to bring up the Petition of the Freeholders of the Counties of Lenox and Addington. Which was granted and the Petition laid on the Table.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 12th November, 1823.

The House met. Prayers were read.

Agreeably to the order of the day, the House proceeded to take into consideration His Excellency The Lieutenant Governor's Speech, delivered at the opening of the present Session. Mr. Speaker then read the Speech.

Mr. Morris, seconded by Mr. Crooks, moves that it be resolved, that an humble address be presented to His Excellency the Lieutenant Governor, thanking His Excellency for his gracious Speech from the Throne at the opening of this present Session of Parliament. Which was carried.

Mr. Morris, seconded by Mr. Crooks, moves that it be resolved, that this House participates in the satisfaction expressed by His Excellency in the prospect of continual peace to the United Empire: and in the existence of the spirit of content-

ment and obedience to the laws on the part of the people of this Province, while they cannot but view with much pleasure the gradual improvement in the prosperity of the Country from the increasing value of its principal productions. Which was carried.

Mr. Morris, seconded by Mr. Crooks, moves that it be resolved, that this House, while they acknowledge His Excellency's justice in noticing the anxious endeavors of the Legislature to advance the public welfare, cannot review the present internal condition of the Province without expressing their sincere and grateful sense of His Excellency's just and impartial administration. Which was carried.

Mr. Morris, seconded by Mr. Crooks, moves that it be resolved, that this House do assure His Excellency that they will apply with diligence and attention to the examination of the Public Accounts; and that His Excellency may securely rely upon the disposition of this House to provide for the proper support of His Majesty's Government. Which was carried.

Mr. Morris, seconded by Mr. Crooks, moves that it be resolved that the House entertain with His Excellency, the expectation of results beneficial to the Finances of this Province from the operation of the late Acts of the Imperial Parliament which have opened to the North America Colonies a less restricted intercourse with foreign countries; and that while they have deeply to regret their temporary inability to afford efficient aid to objects of public utility, they are most happy to believe with His Excellency that the time is not far distant when, without any material additional burthen on the people, it will be in the power of the Legislature to give an effectual impulse to public improvement.

In amendment, Mr. Crooks, seconded by Mr. Hamilton of Wentworth, moves that after the word "countries," the whole be expunged, and the following inserted: "And regret it should appear to His Excellency that there is a temporary inability to afford efficient aid to objects of public utility. They are, however, most happy to believe from His Excellency's information that the time is not far distant when without any material additional burthens on the people it will be in the power of the Legislature to give an effectual impulse to public improvement." On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hamilton (Wentworth), Willson (Wentworth), Casey, Clark, Wilmot, Ham, Crooks.

Nays: Messrs. Pattie, Hagerman, McDonell, Morris, Bostwick, Shaver, Jones (Leeds), Burwell, Randal, White, Walsh.

The question was carried in the negative by a majority of four and lost accordingly.

In amendment, Mr. Walsh, seconded by Mr. Pattie, moves that the word "believe" be expunged, and the word "hope" inserted. Which was carried.

The original question as amended was then put, on which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones of Leeds, Burwell, Randal, White, Walsh, Pattie, Ruttan, Hagerman, McDonell, Morris, Bostwick, Shaver.

Nays: Messrs. Hamilton of Wentworth, Casey, Willson of Wentworth, Clark, Wilmot, Ham, Crooks.

The question was carried in the affirmative by a majority of five, and it was resolved, That this House entertains with His Excellency the expectation of results beneficial to the finances of the Province from the operation of the late Acts of the Imperial Parliament, which have opened to the North American Colonies a

less restricted intercourse with foreign countries, and that while they have deeply to regret their temporary inability to afford efficient aid to objects of public utility, they are most happy to hope with His Excellency that the time is not far distant when without any material additional burthens on the people, it will be in the power of the Legislature to give an effectual impulse to public improvement.

Mr. Morris, seconded by Mr. Crooks, moves that it be resolved, That the House learns with much satisfaction that the arbitrators appointed under the Canada Trade Act have reported their decision on the arrears of the Revenue due to Upper Canada from the Sister Colony, and that no material delay in the receipt of the sum awarded is likely to occur. Which was carried.

Mr. Morris, seconded by Mr. Crooks, moves that it be resolved, That this House do assure His Excellency that they will direct their attention to the Expiring Laws, and in a more especial manner to that for regulating the intercourse between this Province and the United States of America, with a desire to establish the same on a footing consistent with the spirit of the Acts which have been recently passed by the Imperial Parliament in regard to the Trade of the British Colonies, and particularly of His Majesty's North American Provinces. Which was carried.

Mr. Morris, seconded by Mr. Crooks, moves that it be resolved, That the fullest assurance be expressed to His Excellency of the continued desire of this House to preserve a cordial understanding with the other branches of the Legislature, so necessary to the effectual discharge of the duties committed to them; and that this House will entertain at all times with zeal and attention whatever matters His Excellency may find it necessary to lay before them, and will earnestly endeavour to manifest in all their measures a sincere disposition to unite with His Excellency and the remaining branch of the Legislature in all such objects as may tend, under the favor of Divine Providence, to improve the growing resources of the country, and to increase and confirm the welfare of the people. Which was carried.

Mr. Morris, seconded by Mr. Bostwick, moves that it be resolved, That a Committee of Five Members be appointed to prepare an humble Address to His Excellency the Lieutenant Governor in conformity to the foregoing resolutions, and that Messieurs Attorney General, Willson of Wentworth, McLean of Stormont, Jones of Leeds, and Crooks do compose the said Committee. Which was ordered.

Mr. McDonell gives notice that he will on to-morrow move for leave to bring in a Bill to alter and amend an Act passed in the fourth year of His Majesty's Reign, entitled, An Act to provide for the erection of a Gaol and Court House in and for the Home District.

Mr. Hagerman, seconded by Mr. Morris, moves that Messrs. Jones of Grenville and Walsh be a Committee to report on Expiring Laws. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Thursday, 13th November, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Petition from Sundry Inhabitants of Upper Canada praying that an Act might be passed declaring that no Freehold Estate acquired by a deed of conveyance to any person shall qualify him to vote for a Member of the Provincial Assembly, unless a memorial of such deed shall have been registered three months before the time of voting, and the Petition from Sundry Freeholders of the County of Lenox and Addington were read.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Petition of John Lake and others, Freeholders of the Counties of Lenox and Addington, having been read, be entered on the journals. Which was carried, and it is as follows:

To the Honorable House of Assembly of the Province of Upper Canada in Provincial Parliament assembled.

The Petition of the undersigned Freeholders of the Incorporated Counties of Lenox and Addington, Humbly sheweth,

That by virtue of a Writ of Election issued by the proper authority, in due form, and directed to Robert Stanton, Esquire, as Returning Officer, the Freeholders of these Counties were required to elect a person to serve in the present House of Assembly as a Representative of the said counties, and the said Election was appointed to be holden at Bath on Monday, the twenty-fourth day of March, in the year of Our Lord, One Thousand Eight Hundred and Twenty-three.

The Writ of Election was accompanied with the usual instruction, that "If the Election shall not be determined on a view with the consent of the Freeholders present, the Returning Officer shall proceed to take the Poll, and shall not adjourn the Court to any other place, *nor shall delay the Election, but proceed from day to day, until all the Freeholders then present shall have polled,*" which instruction was issued and signed by the proper authority, and was conformable to law, subject however to the limitation of the Statute of this Province, wherein it is enacted, "*That no Returning Officer shall continue any Election more than six days, but shall at the expiration of that time close the Poll, notwithstanding any law, usage, or custom to the contrary.*" By thus limiting Elections to six days, the Legislature evidently intended that they should be accomplished in one Week, and accordingly they are always appointed to commence on Monday. Pursuant to this Writ of Election the said Returning Officer attended at Bath on Monday, the said Twenty-fourth day of March, and after the reading of the said Writ, called upon the Freeholders then present to nominate their candidates; whereupon, Marshall Spring Bidwell, Esquire, and George Ham, Esquire, were duly nominated, and a Poll being demanded, the Returning Officer opened the Poll and proceeded therein, adjourning "from day to day," that is to say, from Monday to Tuesday, from Tuesday to Wednesday, and from Wednesday to Thursday. At the hour of adjournment on that day, four hundred votes had been received by the Returning Officer and were entered on the Poll Book for the said Marshall S. Bidwell, and three hundred and ninety-seven for the said George Ham; and before the adjournment the said Returning Officer declared and published that to be the state of the Poll.

As there were other Electors then present waiting impatiently to vote for the said Marshall S. Bidwell, and unwilling to be detained longer than the next day, and as there might not be sufficient time to complete the Election within the limited time of Six days, if one entire day of that term should be lost, the said Marshall S. Bidwell, one of the candidates aforesaid, requested the Returning Officer to adjourn to the usual hour of meeting on Friday morning, expressing his consent that there should be an adjournment during the time of Church Service on Friday, being Good Friday, but objecting against adjourning over the whole of that day. Nevertheless, the Returning Officer, with the approbation and consent of the said George Ham, the other candidate, did so adjourn the Poll from Thursday to Saturday. At the opening of the Poll on Saturday the said Marshall S. Bidwell repeated his objections to the Returning Officer, and protested against the

proceeding. Near evening on that day, four hundred and sixty-five votes had been received by the Returning Officer, and were entered on the Poll Book, for each of the two candidates, and the Returning Officer having declared that to be the state of the Poll, adjourned the Poll until Monday, the Thirty-first day of March, being Easter Monday. At the time of the adjournment on Saturday there were Electors waiting and striving to give their votes for the said Marshall S. Bidwell, who, considering all further proceedings in the Election to be not merely unauthorised, but positively prohibited by law, declined attending the Poll on Monday of the second week. The Returning Officer proceeded, however, in receiving votes for the said George Ham and such as were offered for the said Marshall S. Bidwell in his absence, until the whole number received for the former was five hundred and eighteen, and the whole number for the latter five hundred and five, then closed the Poll, declared the said George Ham elected, and returned him as the Member elect.

Twelve of the Freeholders present protested against the said Election and Return as illegal and void on these grounds:—1st. The adjournment of the Poll from Thursday to Saturday, as above stated. 2nd. The continuation of the election beyond the six days limited by Law, and 3rd, The admission of illegal votes for the Candidate returned, particularly votes obtained by the splitting of Freeholds already voted on.

Respecting those illegal votes the Petitioners will not trouble the House on the present occasion, as a Petition on that subject is to be presented to the Legislature, praying for an Act to guard against such evils by some more effectual check than is now provided by law.

The official and lawful instruction to the Returning Officer not to delay the Election, but to proceed from day to day until all the Freeholders present shall have polled, precluded an adjournment of the Poll for a longer time than one day, without such consent of parties as might excuse what would otherwise be erroneous. The reason assigned for the adjournment from Thursday to Saturday that the intervening day was a holy-day, is not sufficient; its insufficiency is manifested from the circumstance that not only Friday but all the other five election days of that week were holy-days, having appropriate religious services prescribed in the liturgy of the English Church; and that the Monday of the ensuing week to which the Poll was afterwards adjourned was also a holy-day of the Church; so that, in point of fact, every day of the Election was a holy-day.

It might be a matter of regret that the election was inadvertently appointed on that week, although there is no law prohibiting elections on holy-days. In England, where Knights of the Shire are elected by Freeholders in the County Court, before the Sheriff acting as Returning Officer, if the Court happens on such a feast as is not a Court day, for the transaction of ordinary business, they may nevertheless "elect Knights . . . for Parliament," and in this Province there is no Act against holding an Election on a holy-day.

The time for this Election being appointed by the competent authority, there was a legal and actual necessity of proceeding in it. The Returning Officer had no discretionary power to change the appointment and transfer the Election to Easter week or any other week which he might think more proper. The correct course was that proposed by one of the candidates, to proceed with the Election on Friday, but to adjourn during the time of Church Service, by which the institution of the Church would have been respected, without neglecting the performance of the necessary duty of Election. That it was necessary on that day, was then very

obvious and was afterwards demonstrated by the fact that in consequence of neglecting it, there was not sufficient time to finish the election during the week. The Law has wisely restricted the Returning Officer from increasing the excitement, the waste of time, and the expenses of both Electors and Candidates by delaying or prolonging an Election, and it would be dangerous to sanction a breach of so salutary a Law.

The Petitioners therefore respectfully submit to your consideration that the adjournment of the Poll from Thursday to Saturday against the will of one of the candidates, and contrary to law, and to the Returning Officer's instructions, was, in its legal operation and effect, a determination of the Election, so that all subsequent polling of votes was unauthorized and void. As that interruption and consequent termination of the Election was consented to by the other candidate he is bound by it. On his part the error is cured by his concurrence and consent, without which it would not have been committed. The majority of votes . . . then polled, being for the said Marshall S. Bidwell, he, instead of the said George Ham, ought to have been and now ought to be declared elected and returned a Member of the House. The Petitioners have no doubt that a fair majority of all the lawful Electors was in his favor.

If, however, the adjournment from Thursday to Saturday did not have the legal effect of determining the Election according to the state of the Poll at the time of the adjournment, it was such an illegality and interruption of the proceedings as to make the election void.

On the second point the Petitioners have not been able to see any ground on which the continuation of the Election beyond the six days of the first week can be justified in direct opposition to the Statute, which declares, not only negatively, "that no Returning Officer shall continue an election more than six days," but, also positively, that he "shall at the expiration of that time close the Poll," and to guard against every possible pretext for evading the limitation, adds the explanatory words "notwithstanding any law, usage, or custom to the contrary." In this limitation of six days, holy-days are not excepted. If there were previously such an exception, by any law, usage or custom whatever, this Statute in most absolute and universal terms repealed it.

To "*continue*" an election for a limited number of days, for instance six days, must, from the force of the very expression, mean that number of days in continued succession, otherwise it is not a continuation; and by "*the expiration of that time*" must be intended the end of that term of time, that is, of six successive days. To suppose that the *term of six days* here limited, may be any six days, at such various times, and with such intervals between them as the Returning Officer may think proper to appoint, is a construction inconsistent with both the letter and spirit of the Statute, and subversive of the security of Elections.

The first instance of such a dangerous construction adopted in practice ought to be resisted, and not suffered to acquire the force of precedent for further evasions of the Law.

Upon these two grounds of illegality in the proceedings at the late Election, the Petitioners are constrained by a sense of duty to pray Your Honorable House, as the Judges and Guardians of Elections, to take the case of this Election into consideration, and to decide and declare:

1st. That the adjournment of the Poll from Thursday to Saturday, with the concurrence of one of the candidates, but without the consent and against the will of the other candidate was unauthorized and illegal.

2nd. That the continuation of the Election beyond Saturday, the sixth day after the commencement of it, was contrary to Law.

3rd. That the said George Ham was not duly elected and returned, and ought not to retain his seat in the House.

4th. That the said Marshall S. Bidwell was elected by a majority of all the votes legally polled at the election, and is accordingly entitled to a seat in the House.

And, as in duty bound, the Petitioners will ever pray.

Signed by John Lake and seventy-five others.

Lenox and Addington, October 20, 1823.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Clerk of the Crown in Chancery be directed to bring up the Writ of Election with the Return of a Member to serve in Parliament for the incorporated Counties of Lenox and Addington. Which was ordered.

Mr. Jones of Leeds, seconded by Mr. Shaver, moves for leave to bring up the Petition of the Grand and Petit Juries at the last Assizes held in the District of Johnstown. Which was granted, and the Petition brought up.

Mr. Jones of Leeds, seconded by Mr. Shaver, moves for leave to bring up the Petition of Hiram Spafford of the District of Johnstown. Which was granted, and the Petition brought up.

Mr. Ham, seconded by Mr. Casey, moves for leave to bring up the Petition of the Inhabitants of the Incorporated Counties of Lenox and Addington praying for a division of said counties. Which was granted and the Petition brought up.

Mr. Morris, from the Committee to draft an Address to His Excellency the Lieutenant Governor in answer to His Excellency's Speech at the opening of the present Session, reported a Draft, which was received and read the first time.

Mr. McDonell, seconded by Mr. Morris, moves for leave to-morrow to bring in a Bill to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled "An Act to provide for the erection of a Gaol and Court House in and for the Home District. Which was granted.

Mr. Morris, seconded by Mr. Burwell, moves that the Fifth Rule of the House be dispensed with in so far as it relates to the Address to His Excellency the Lieutenant Governor, and that it be read a second time this day. Which was carried and the address was read the second time.

Mr. Morris, seconded by Mr. McDonell, moves that the House do now resolve into a Committee of the Whole to take the Address into consideration. Which was carried, and Mr. McLean of Stormont was called to the Chair of the Committee. The House resumed.

Mr. McLean reported the Address as amended. Ordered that the Report be received.

Mr. Morris, seconded by Mr. McDonell, moves that the Address to His Excellency the Lieutenant Governor be engrossed and read a third time this day. Which was ordered.

Mr. Crooks gives notice that he will on Monday next move for leave to bring in a Bill to divide the County of Halton, in the District of Gore.

Mr. Jones of Grenville gives notice that he will on Monday next move for leave to bring in a Bill to repeal the Laws now in force for the Collection of Duties within this Province, and to make more effectual provision for the due collection of the same.

Mr. Hagerman gives notice that he will on Monday, the 24th instant, move, That this House do resolve itself into a Committee of the Whole to take into consideration the Commercial Intercourse between this Province and the United States of America.

Agreeably to order the Address to His Excellency the Lieutenant Governor in answer to His Excellency's Speech at the opening of the present Session was read the third time, passed, and signed by the Speaker and is as follows:

To His Excellency Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major-General Commanding His Majesty's Forces, therein, etc.

May It Please Your Excellency: We, His Majesty's dutiful and loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly beg leave to thank Your Excellency for your Gracious Speech from the Throne at the opening of the present Session.

We participate in the satisfaction expressed by Your Excellency in the prospect of continued peace to the United Empire, and in the existence of the spirit of contentment and obedience to the Laws on the part of the people of this Province. While we view with much pleasure the gradual improvement, in the prosperity of the country, from the increasing value of its principal productions, and while we acknowledge Your Excellency's justice in noticing the anxious endeavors of the Legislature to advance the Public Welfare, we cannot review the present internal conditions of the Province without expressing our sincere and grateful sense of Your Excellency's just and impartial administration.

We assure Your Excellency that we will apply ourselves with diligence and attention to the examination of the Public Accounts, and that Your Excellency may securely rely upon our disposition to provide for the proper support of His Majesty's Government.

We are happy to entertain with Your Excellency the expectation of results beneficial to the finances of this Province from the operation of the late Acts of the Imperial Parliament, which have opened to the North American Colonies a less restricted intercourse with foreign countries, and while we have deeply to regret our temporary inability to afford efficient aid to objects of public utility, we are most happy to hope with Your Excellency, that the time is not far distant when without any material additional burthen on the people, it will be in the power of the Legislature to give an effectual impulse to public improvement.

We learn from Your Excellency with much satisfaction, that the arbitrators appointed under the Canada Trade Act have reported their decision on the Arrears of Revenue due to this Province from the Sister Colony, and that no material delay in the receipt of the sum awarded is likely to occur.

We will direct our attention to the laws about to expire, and in a more especial manner to that regulating the intercourse between this Province and the United States of America, with a view to establish the same on a footing consistent with the spirit of the Acts which have been recently passed by the Imperial Parliament in regard to the Trade of the British Colonies, and particularly of His Majesty's North American Provinces.

We most fully assure Your Excellency of our constant desire to preserve a cordial understanding with the other branches of the Legislature, so necessary to the effectual discharge of the duties committed to us, and that we will entertain at all times with zeal and attention whatever matters Your Excellency may find it

necessary to lay before us; and will earnestly endeavor to manifest in all our measures a sincere disposition to unite with Your Excellency and the remaining branch of the Legislature in all such objects as may tend, under the favor of Divine Providence, to improve the growing resources of the country and to increase and confirm the welfare of the people.

Commons House of Assembly,
13 November, 1823. LEVIUS P. SHERWOOD, Speaker.

Mr. Morris, seconded by Mr. McDonell, moves that Messrs. McLean of Stormont, and Bostwick, be a Committee to wait on His Excellency the Lieutenant Governor to know when His Excellency will be pleased to receive the address of this House in answer to his most Gracious Speech from the Throne, at the opening of the present Session. Which was ordered.

Mr. Morris gives notice that he will on to-morrow move for the appointment of a select Committee to take into consideration and report on the expediency of amending the laws now in force for the division of the Province.

The House then adjourned till ten o'clock to-morrow.

Friday, 14th November, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. McLean of the Committee to wait upon His Excellency the Lieutenant Governor to know when he would be pleased to receive the address of this House in answer to His Excellency's Speech at the opening of the present Session, reported that His Excellency had been pleased to name the hour of twelve to-morrow.

Mr. Ruttan, seconded by Mr. Casey, moves for leave to bring up the Petition of Daniel Markham, Paper Manufacturer of the Newcastle District. Which was granted, and the Petition laid on the table.

Agreeably to notice, Mr. Morris, seconded by Mr. Shaver, moves that Messrs. Crooks, Burwell, Jones of Leeds, Walsh, Ruttan, Wilmot, Willson of Wentworth, and Ham be a Committee to take into consideration and report by Bill or otherwise on the expediency of amending the laws now in force for the division of the Province. Which was ordered.

Mr. McDonell, seconded by Mr. Morris, moves that in future it be a standing Rule of this House, that whenever one hour shall elapse beyond the time to which the House stands adjourned, and a Quorum is not present, the Speaker may take the Chair and adjourn the House to the next sitting day without question or motion. Which was carried.

Mr. Morris gives notice that he will on Monday next move for leave to bring in a Bill to alter and amend the Registry Laws of this Province.

Mr. Jones of Leeds gives notice that he will on Monday next move that it be resolved that it is expedient that the debates of this House during the present Session be reported, and that a reporter or reporters be employed for that purpose, and that a sum of money be voted to defray the expense thereof.

Mr. Jones of Leeds gives notice that he will, on Monday next, move that it be resolved that a Select Committee be appointed for the purpose of engaging a proper person to report the Debates of this House during the present Session, and that the said Committee be authorised to superintend the publication of the said reports.

Mr. Walsh gives notice that he will, on Monday next, move for leave to bring in a Bill to incorporate the Townships of Bayham and Malahide, respectively, with some or one of the Counties of the London District.

The House then adjourned till ten o'clock to-morrow.

Saturday, 15th November, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Nichol, seconded by Mr. Hagerman, moves that he have leave to bring up the Petition of John Putman Clement of the Township of Niagara. Which was granted and the Petition brought up.

Agreeably to order the Petition from the Grand and Petit Juries of the District of Johnstown, praying that a law might be passed to enable the Justices of the Peace in General Quarter Sessions assembled to raise such sum as shall be required for the repair of the jail, not exceeding an additional rate of one penny on the pound, for three years, or to devise such other means as might seem most expedient for that purpose, was read.

Mr. Jones of Leeds, seconded by Mr. Burwell, moves that the Petition of the Grand and Petit Juries of the District of Johnstown be referred to a Select Committee and that Messrs. Hagerman, Nichol and Wilmot do compose the same, and that they report thereon by Bill or otherwise. Which was ordered.

Agreeably to order the Petition from Hiram Spafford, praying for relief in the premises, was read.

Mr. Jones of Leeds, seconded by Mr. Jones of Grenville, moves that the Petition of Hiram Spafford be referred to a Select Committee and that Messrs. Morris, Burwell, and Gordon do compose the same, and that they have leave to report by Bill or otherwise. Which was ordered.

Agreeably to order the Clerk of the Crown in Chancery brought up the Writ of Election with the return of a Member to serve in Parliament for the Incorporated Counties of Lenox and Addington, which were read as follows:

Upper Canada.

P. Maitland.

George the Fourth by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, etc.

To the Returning Officer of the Incorporated Counties of Lenox and Addington, and to all to whom these Presents shall come, Greeting.

Whereas Matthew Clark was lately returned a Knight for the Incorporated Counties of Lenox and Addington in the Midland District of our said Province, for the present Assembly summoned to be holden in our Town of York on the twenty-fourth day of July, in the year of our Lord, One Thousand Eight Hundred and Twenty-one, there now holden. And Whereas our said Assembly have adjudged the election of the said Matthew Clark to be void, whose seat has hereby become vacant, by means whereof our subjects of our said Incorporated Counties of Lenox and Addington are deprived of a Knight to treat for the benefit of the said Incorporated Counties in our said Assembly. Nevertheless we being unwilling that the Commonalty of our said Province in our said Assembly, to treat of the business concerning us, the state and defence of our said Province, and the Church, from the aforesaid cause should be diminished or lessened, whereby those affairs may not have a due end. We command you that in the place of Matthew Clark, within the Counties aforesaid, one Knight of the said Counties (Proclamation being first

made of the premises aforesaid, and of the day and place) freely and indifferently by those who shall be present, you cause to be elected; and the name of the said Knight to be inserted in certain indentures to be thereupon made between you and them that shall be present at such election; whether at such election he shall be present or absent. And to cause him to come to the said Assembly, so that the said Knight so to be chosen may have full power and sufficient authority for himself and the commonalty of our said counties, to do and consent to those things which in our Assembly aforesaid, by the common Council of our said Province, by the blessing of God, shall happen to be ordained upon the aforesaid affairs. Willing nevertheless, that neither you nor any other Returning Officer, Sheriff, Member of the Legislative Council of our Province, nor any Minister of the Church of England, nor Minister, Priest, Ecclesiastic or Teacher. either according to the Rites of the Church of Rome, or under any other form or profession of Religion, faith, or worship, in anywise be chosen or elected. And the Election so made distinctly and openly under your Seal, and the Seals of those who shall be present at such Election, certify you to us in our chancery forthwith, remitting to us one part of the aforesaid indentures annexed to these Presents, together with this our Writ.

In testimony whereof, we have caused these our Letters to be made Patent and the Great Seal of our said Province to be hereunto affixed. Witness Our Trusty and Well Beloved Sir Peregrine Maitland, K. C. B., Lieutenant Governor of our said Province and Major General Commanding our Forces therein, at York this Seventh day of March, in the year of Our Lord, One Thousand Eight Hundred and Twenty-three, and in the fourth year of Our Reign.

(Signed) P. M.

By command of His Excellency,

D. Cameron, Secy.

Saml. P. Jarvis,
Clk. Cr. Chancery.

This indenture made the Thirty-first day of March, in the year of Our Lord, one Thousand Eight Hundred and Twenty-three, and in the Fourth Year of the Reign of Our Sovereign Lord, George the Fourth, by the Grace of God of the United Kingdom of Great Britain and Ireland, Knight, Defender of the Faith; Between Robert Stanton, Returning Officer of the Incorporated Counties of Lenox and Addington of the one part and Thomas Dorland, Sebastian Hogle, Christopher Fralick, George Macaulay and Isaac Fraser of the other part, witnesseth, that in pursuance of His Majesty's Writ bearing date the Seventh day of March in the year aforesaid, at York in the Province of Upper Canada; after proclamation thereof made on the Twenty-fourth day of March, in the year aforesaid, according to the tenor of the said Writ, we the said Thomas Dorland, Sebastian Hogle, Christopher Fralick, George Macaulay, and Isaac Fraser, freeholders of the said Incorporated Counties of Lenox and Addington, have chosen George Ham, Esquire, to be Member and Representative to serve the said Incorporated Counties of Lenox and Addington in the Assembly now sitting at York in the Province aforesaid. And by these presents have given and do give unto the said George Ham, Esquire. full and sufficient power for himself and the commonalty of the said Incorporated Counties of Lenox and Addington, to do and consent to those things which then and there by the favor of God shall happen to be ordained by the common Council of the said Province.

In witness whereof the Parties to these Presents have interchangably set their hands and seals, the day and year first above mentioned:

ROBERT STANTON (L.S.).
THOMAS DORLAND (L.S.)
SEBASTIAN HOGLE (L.S.).
CHRISTOPHER FRALICK (L.S.).
GEORGE MACAULAY (L.S.).
ISAAC FRASER (L.S.).

Mr. Jones of Grenville, seconded by Mr. Jones of Leeds, moves that it be resolved that the Petition of John Lake and others, freeholders of the Incorporated Counties of Lenox and Addington, contains grounds and reasons of complaint sufficient if true to make void the Election of George Ham, Esquire. On which debates ensued.

Mr. Nichol, seconded by Mr. Burwell, moves that the debate on the resolution on the petition of John Lake and others be adjourned to Monday next. Which was carried.

At twelve o'clock the Speaker and House waited upon His Excellency the Lieutenant Governor with the address in answer to His Excellency's Speech at the opening of the present Session, and being returned Mr. Speaker reported that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly: I thank you for this very Loyal Address. The very cordial manner in which you notice my Administration of this Government, affords me peculiar satisfaction, because it proves, that the benefit of the King's paternal superintendence has been preserved to the loyal people of this Province, by the implicit obedience with which I have always endeavored to carry into execution the gracious injunctions of my Royal Master.

The House then adjourned till ten o'clock on Monday next.

Monday, 17th November, 1823.

The House met. Prayers were read. The minutes of Saturday were read.

Mr. Nichol, seconded by Mr. Randal, moves that he have leave to bring up the Petition of James Gordon and others of the Niagara District. Which was granted and the Petition brought up.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that he have leave to bring up the Petition of the inhabitants of the County of Grenville. Which was granted and the Petition brought up.

Agreeably to the order of the day, the Petition of the Freeholders of the Incorporated Counties of Lenox and Addington, praying for said Counties to be separated, and the Petition of Daniel Markham, praying for a Loan not exceeding One Thousand Pounds, to assist him in erecting Paper Mills on condition of repayment within the term of Six Years, together with the interest; or such other assistance as might seem proper, were read.

Mr. Ruttan, seconded by Mr. Ham, moves that the Petition of Daniel Markham be referred to a Select Committee to be composed of Messrs. Nichol and Wilmot, to report thereon by Bill or otherwise. Which was lost.

Mr. Casey, seconded by Mr. Ruttan, moves that the Petition of the Incorporated Counties of Lenox and Addington, praying for a division of the Counties,

be referred to a Select Committee, and that Messrs. Hagerman and Ham do compose the said Committee, to Report by Bill or otherwise.

In amendment Mr. Jones of Grenville, seconded by Mr. Nichol, moves that after the word "referred" in the original motion the whole be expunged, and the following words inserted, "to the Committee on the division of the Province." Which was carried.

The original question was then put and lost.

The original question as amended was then put and carried.

Agreeably to notice, Mr. Jones of Grenville, seconded by Mr. Morris, moves for leave to bring in a Bill to amend the laws now in force for the collection of Duties in this Province. Which was granted and the Bill read.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Collectors Bill be read a second time on Thursday next.

In amendment, Mr. Crooks, seconded by Mr. Ham, moves that the word "next" in the original motion be expunged and the word "sennight" inserted. Which was carried.

The original question as amended was then put and carried.

Mr. Crooks, seconded by Mr. Ham, moves that one hundred copies of the Collectors Bill be printed for the use of the Members. Which was lost.

Agreeably to notice, Mr. Jones of Leeds, seconded by Mr. Willson of Wentworth, moves that it be resolved, that it is necessary and proper for the information and satisfaction of the Electors of this Province that the Debates of this House should be reported, and under existing circumstances it is impracticable as in England to defray by an increased circulation of papers so great an expense, as must necessarily be incurred; it is therefore further resolved, that it is expedient that the sum of Pounds be appropriated to defray the expense of a reporter or reporters in reporting and publishing the Debates of this House during the present Session.

In amendment, Mr. Nichol, seconded by Mr. Burwell, moves that after the word "resolved" the whole of the original motion be expunged, and that the words "that the Sergeant at Arms be directed to provide each Member of this House with two Newspapers weekly during the present Session" be inserted. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Nichol, Hamilton (Wentworth), Walsh, Ruttan, Kerr, Gordon, Hagerman, Crooks, McDonell, Morris, Attorney General, Bostwick, Shaver.

Nays: Messrs. Jones (Leeds), Randal, Clark, Pattie, Willson (Wentworth), Wilmot, Baldwin, White, Baby, Casey, Jones (Grenville), Ham.

The question was carried in the affirmative by a majority of two.

The original question as amended was then put and carried. *Nem con.* Present: Messrs. Burwell, Nichol, Hamilton (Wentworth), Walsh, Ruttan, Kerr, Gordon, Hagerman, Crooks, McDonell, Morris, Attorney General, Bostwick, Shaver, Jones (Leeds), Randal, Clark, Pattie, Willson (Wentworth), Wilmot, Baldwin, White, Baby, Casey, Jones (Grenville), Ham.

Agreeably to the order of the day, the House went into the Debate on the Lenox and Addington Election.

Mr. Baldwin, seconded by Mr. Walsh, moves the Debate on the Lenox and Addington Petition be postponed till Monday next. Which was lost.

Mr. Attorney General, seconded by Mr. Morris, moves that the further consideration of the Lenox and Addington Petition be postponed till to-morrow. Which was ordered.

Mr. Nichol gives notice that he will on to-morrow move that it be resolved, that the Select Committee on the division of the Province be dissolved, and that the several petitions presented to this House during the present Session, praying for the division of certain Counties and Districts thereof be considered in a Committee of the Whole on Monday next.

Mr. Nichol gives notice that he will, on Wednesday next, move for leave to bring in a Bill to repeal an Act passed in the forty-fourth year of His late Majesty's Reign intituled, "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof."

Mr. Baldwin gives notice that he will, on Wednesday next, move for leave to bring in a Bill the better to declare the true intent and meaning of the Act of the Parliament of this Province, passed in the Thirty-second year of His late Majesty's Reign, entituled, "An Act to repeal certain parts of an Act passed in the Fourteenth year of His Majesty's Reign intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to introduce the English Law as the Rule of decision in all matters of controversy relative to Property and Civil Rights.'"

Mr. Jones of Grenville gives notice that he will, on to-morrow, move for leave to bring in a Bill to alter the times of holding the Surrogate and District Courts in this Province, and for other purposes therein mentioned.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 18th November, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Casey, seconded by Mr. Ham, moves for leave to bring up the Petition of Members and Friends of the Methodist Episcopal Church in this Province. Which was granted and the Petition brought up.

Agreeably to the order of the day, the Petition from John P. Clement, praying that a certain piece of land sold under the Alien Act might be restored to him, with such damages as might seem meet, was read.

Mr. Nichol, seconded by Mr. Randal, moves that the Petition of John P. Clement be referred to a Select Committee, and that the Attorney General, Mr. Jones of Grenville and Mr. Crooks do compose the said Committee, with leave to report by Bill or otherwise, and power to send for persons and papers. Which was ordered.

Mr. Speaker communicated a Letter from the Attorney General.

Agreeably to notice Mr. Morris, seconded by Mr. Jones of Grenville, moves for leave to bring in a Bill to repeal part of and amend the Registry laws of this Province. Which was granted and the Bill read.

Mr. Morris, seconded by Mr. Jones of Grenville, moves that the Registry amendment Bill be read a second time on Thursday next. Which was ordered.

Agreeably to notice Mr. Walsh, seconded by Mr. Wilmot, moves that he have leave to bring in a Bill for incorporating the Townships of Bayham and Malahide in this Province with some or one of the counties thereof. Which was granted and the Bill read.

Mr. Walsh, seconded by Mr. Wilmot, moves that the Bill for annexing the Townships of Bayham and Malahide to some of the Counties of this Province be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Debate on the Lenox and Addington Petition was resumed.

Mr. Jones' of Grenville motion of the Fifteenth Instant was put on which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Clark, Nichol, Gordon, Willson (Wentworth), Randal, Hamilton (Wentworth), Walsh, Pattie, Wilmot, White, Baby, Kerr, Casey, McLean (Stormont), Attorney General, Jones (Grenville), Morris, Bostwick, Shaver.

Nays: Mr. Crooks.

The question was carried in the affirmative by a majority of nineteen and it was

Resolved that the Petition of John Lake and other freeholders of the Incorporated Counties of Lenox and Addington contains grounds and reasons of complaint sufficient if true to make void the Election of George Ham, Esquire.

Mr. Jones of Grenville, seconded by Mr. Nichol, moves that Monday the Eighth day of December next, at the hour of Eleven o'clock in the forenoon, be appointed for taking into consideration the Petition of John Lake and others, against the Election of George Ham, Esquire, and that notice thereof be given by the Speaker pursuant to law. Which was carried.

Mr. Jones of Grenville, seconded by Mr. Bostwick, moves that it be resolved, that previous to the investigation of the Petition of John Lake and others, the said John Lake or some other responsible person or persons do enter into a Bond of Two Hundred Pounds to the Clerk, conditioned for the payment of such costs as shall be awarded by this House, should they fail in supporting the ground of their Petition. Which was carried.

Agreeably to notice Mr. Nichol, seconded by Mr. Randal, moves that it be resolved, that the Select Committee on the Division of the Province be dissolved, and that the subject referred to its consideration be considered in a Committee of the whole House on Monday next. Which was carried.

Agreeably to notice, Mr. Jones of Grenville, seconded by Mr. Morris, moves for leave to bring in a Bill to alter the times of holding the District and Surrogate Courts in this Province, and for other purposes therein mentioned. Which was granted and the Bill read.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Bill for altering the times of holding the District and Surrogate Courts in this Province be read a second time on Thursday next. Which was ordered.

Mr. Nichol gives notice that he will, on Thursday next, move for leave to bring in a Bill to repeal an Act passed in the Fifty-ninth year of His late Majesty's Reign entitled, "An Act to authorise the enquiry and trial of crimes and offences committed within this Province without the limits of any described Township or County to be had in any District thereof.

Mr. Nichol gives notice that he will, on Monday next, move that it be resolved, that the President and Cashier of the Bank of Upper Canada be directed to lay before this House a list of the names of the stockholders thereof, the number of shares subscribed for by such stockholders, respectively, and the sums severally paid in on account of such shares. Also a statement of the funds belonging to the said institution.

Mr. Nichol, seconded by Mr. Morris, moves that it be resolved, that an article inserted in paper published in Kingston entitled Upper Canada Herald, and dated November the eleventh, One Thousand Eight Hundred and Twenty-three, addressed to this House and styled, Report of the Commissioners for unsettling the Affairs of the pretended Bank of Upper Canada, lately established at Kingston, is a false,

scandalous, and malicious Libel, and a contempt of the privileges of this House. Doors closed. Doors opened. The question was carried.

Mr. Nichol, seconded by Mr. Morris, moves that it be resolved, that Hugh C. Thompson the Publisher of the said Paper be ordered to attend forthwith at the Bar of this House to answer for the said offence. Which was carried.

Mr. Jones of Grenville gives notice that he will, on to-morrow, move that after the word "Member" in the Eighth Rule of this House the following words be inserted, "other than the one who proposes a motion, Resolution or Bill, who shall be allowed to reply."

Mr. Attorney General gives notice that he will, move on Monday next, for leave to bring in a Bill to regulate the sale of Lands and Tenements in Execution.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 19th November, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. McDonell, seconded by Mr. Morris, moves for leave to bring up the Petition of the Magistrates of the Home District in General Quarter Sessions Assembled. Which was granted and the Petition brought up.

Mr. Baldwin, seconded by Mr. Randal, moves for leave to bring up the Petition of the Presbyterian Congregation of York. Which was granted and the Petition brought up.

Mr. Kerr, seconded by Mr. Morris, moves for leave to bring up the Petition of Peter Thomas and others. Which was granted and the Petition brought up.

Agreeably to the order of the day, the Petition from James Gordon and others of the Niagara District, praying that an Act might be passed, incorporating a Company "under the style and title of the Niagara District Canal Company with a capital not exceeding Forty Thousand Pounds," and the Petition of William Brown and others of the District of Johnstown, praying that "the sum of One Hundred and Fifty Pounds might be raised from the said District by assessments," for the purpose of erecting a certain bridge, were read.

Mr. Nichol, seconded by Mr. Burwell, moves that the Petition of James Gordon, Esquire, and others of the Niagara District be referred to a Select Committee, and that the Attorney General, Mr. Jones of Grenville, Doctor Baldwin, Mr. Hagerman, Mr. Jones of Leeds, Mr. Gordon, Mr. Kerr, and Mr. Crooks do constitute the said Committee, with power to send for persons and papers. Which was carried.

Mr. Morris, seconded by Mr. Crooks, moves that the Petition of William Brown and other inhabitants of the County of Grenville be referred to the Committee to whom was referred the Petition of the Grand and Petty Juries of the Johnstown District, at the last assizes. Which was carried.

Agreeably to notice, Mr. Nichol, seconded by Mr. Gordon, moves that he have leave to bring in a Bill to repeal an Act passed in the Forty-fourth year of His late Majesty's Reign, entitled. "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof." Which was granted and the Bill read.

Mr. Nichol, seconded by Mr. Gordon, moves that the Sedition Act Repeal Bill be read a second time on Monday next. Which was carried.

Agreeably to notice, Mr. Baldwin, seconded by Mr. Randal, moves for leave to bring up a Bill for better declaring the true intent and meaning of the third

clause of the Provincial Statute, Thirty-second, George the Third, Chapter the first. Which was granted and the Bill read.

Mr. Secretary Cameron brought down from His Excellency the Lieutenant Governor the Public Accounts and having withdrawn the same were read as follows:

UPPER CANADA.

Schedule of Accounts prepared to be laid before the fourth Session of the Eighth Provincial Parliament.

1. Account of Revenue from the Shop, Tavern and Still Licenses issued with the names of Persons licensed, from the 5th January to the 11th November, 1823.

2. Account of Revenue from Duties on Imports between the 1st January and the 11th November, 1823.

3. Account of Revenue from Licenses issued to Hawkers and Pedlars, from 1st January to the 11th November, 1823.

4. Account of Revenue from Tonnage Duties collected between the 1st January and the 11th November, 1823.

5. Account of Revenue from Licenses to Auctioneers and on Sales at Auction between the 1st January and the 11th November, 1823.

6. General Statement of the Receiver General's Receipts and Payments between the 1st January and 30 June, 1823, with an abstract of the Warrants issued within the same period annexed.

7. General Statement of the Receiver General's Receipts and Payments between the 1st July and the 11th November, 1823, with an abstract of the Warrants issued within the same period annexed.

8. Statement of Receipts and Payments on account of the appropriation for the Civil Government for the year 1822, with an Abstract of Warrants issued since 15th January, 1823, annexed.

9. Statement of Receipts and Payments on account of the appropriation for the Civil Government for the year 1823, with an Abstract of Warrants issued on and paid out of that appropriation annexed.

10. Statement of Receipts and Payments on account of the appropriation of £2,500 annually of 56 Geo. 3rd, Cap. 26, with an Abstract of Warrants issued annexed.

11. Estimate of the Expenditure and Resources to complete the service of the year 1823.

12. General Estimate of the Expenditure and Resources of the year 1824.

13. Estimate for the year 1824 for the Expenses of the Civil Government.

14. Account of moneys paid to the Receiver General by Collectors and Inspectors since 30th June, 1823.

15. Account of moneys outstanding in the hands of Collectors and Inspectors on the 11th November, 1823.

16. Schedule of Accounts in detail.

Inspector General's Office,
11th November, 1823. J. BABY, Inspector General.

Mr. Baldwin, seconded by Mr. Randal, moves that the Bill the better to declare the true intent and meaning of the third clause of the Provincial Statute, thirty-second George the Third, Chapter first, be read a second time on Monday next. Which was lost.

Mr. Nichol, seconded by Mr. Gordon, moves that the Public Accounts be referred to a Committee of Finance to examine and report on the same, and

that the said Committee, to consist of seven Members, be appointed by Ballot on to-morrow. Which was ordered.

Mr. Nichol, seconded by Mr. Jones, of Leeds, moves that it be Resolved, that the Speaker do direct the necessary process to issue, to compel the attendance of witnesses, and the production of such papers as may be required by the Petitioners or sitting Member in the Trial of the Contested Election of Lenox and Addington. Which was carried.

Mr. Attorney General gives notice that he will move on Tuesday, the ninth day of December next, that the House do resolve itself into a Committee of the Whole on Supply.

Mr. Nichol gives notice that he will on to-morrow move that it be Resolved, that an humble address be presented to His Excellency the Lieutenant Governor praying His Excellency to direct the proper Officer to lay before this House, a return of the gross Revenue collected at the Port of Quebec in Lower Canada for the year commencing on the fifth of October, one thousand eight hundred and twenty-two, and ending on the fifth of October, one thousand eight hundred and twenty-three, distinguishing the amount collected in each quarter thereof.

Mr. Crooks gives notice that he will on Friday next move for leave to bring in a Bill to amend and extend the Laws now in force for laying out and keeping in repair the highways and roads in this Province.

Mr. Ruttan gives notice that he will on Saturday next, move for leave to bring in a Bill to alter the provisions of an Act passed in the Thirty-eighth year of His late Majesty's Reign, intituled "An Act to ascertain and establish on a permanent footing the Boundary Lines of the different Townships of this Province."

The House then adjourned till ten o'clock to-morrow.

Thursday, 20th November, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the Petition of the Members and Friends of the Wesleyan Methodist Episcopal Church of this Province, praying for the privilege of solemnizing Marriage to be allowed to the Ministers of that denomination, was read.

Agreeably to the order of the day, the Registry Bill was read the second time. Mr. Morris, seconded by Mr. Jones, of Grenville, moves that the House do now resolve itself into a Committee of the Whole on the Registry amendment Bill. Which was carried, and Mr. Ruttan was called to the Chair of the Committee.

The House resumed. Mr. Ruttan reported progress and asked leave to sit again this day three months.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Randal, Wilmot, Horner, Baldwin, White, Walsh, Pattie, Clark, Baby, Ruttan, Casey, Ham, Crooks, Gordon, Shaver.

Nays: Messrs. Jones (Leeds), Burwell, Hamilton (Wentworth), Kerr, Jones (Grenville), Hamilton (Lincoln), Morris, McLean (Stormont), Bostwick, Attorney General, Nichol, Willson (Wentworth).

The question was carried in the affirmative by a majority of three, the Report received and leave granted accordingly.

Agreeably to the order of the day, the District Court Bill was read the second time. Mr. Jones, of Grenville, seconded by Mr. Gordon, moves that the

House do now resolve itself into a Committee of the whole to take into consideration the District Court Bill. Which was carried, and Mr. Randal was called to the Chair of the Committee.

The House resumed. Mr. Randal reported progress and asked leave to sit again to-morrow. Which was granted.

Agreeably to notice, Mr. Willson, of Wentworth, seconded by Mr. Hamilton, of Wentworth, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the propriety of making such alterations in the existing Code of Criminal Laws now in force in this Province as may tend the better to equalize the punishment inflicted upon persons offending against the same, to the offences committed. On which debates ensued.

Mr. Nichol, seconded by Mr. Burwell, moves that the debate on the question now before the House be adjourned to Tuesday next. Which was ordered.

Agreeably to notice Mr. Nichol, seconded by Mr. Randal, moves that he have leave to bring in a Bill to repeal an Act passed in the fifty-eighth year of His late Majesty's Reign intituled "An Act to authorize the trial and enquiry of crimes and offences committed within this Province, without the limit of any described Townships or County to be had in any District thereof." Which was granted and the Bill read.

Mr. Nichol, seconded by Mr. Wilmot, moves that the Criminal Jurisdiction Act Repeal Bill be read a second time on Wednesday next.

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Burwell, Nichol, Hamilton (Wentworth), Willson (Wentworth), Wilmot, Horner, Randal, Clark, Pattie, Casey, Gordon, Kerr, Ham, Hamilton (Lincoln).

Nays: Messrs. Walsh, White, Hagerman, McLean (Stormont), Jones (Grenville), Attorney General, Crooks, Ruttan, Morris, Bostwick, Shaver.

The question was carried in the affirmative by a majority of four and ordered accordingly.

Agreeably to the order of the day, the House proceeded to ballot for Committee of Finance, when the following were chosen:

Messrs. Nichol, McDonell, Jones (Grenville), Gordon, Morris, Wilmot, and Crooks.

Agreeably to notice, Mr. Nichol, seconded by Mr. Jones, of Leeds, moves that it be Resolved, that an humble address be presented to His Excellency the Lieutenant Governor praying His Excellency to be pleased to procure Returns of the amount of Duties collected at the Port of Quebec for the year commencing on the fifth October, one thousand eight hundred and twenty-two, and ending on the fifth October, one thousand eight hundred and tweny-three, distinguishing the amount collected in each quarter of the said year, and to direct the same to be laid before this House. Which was carried.

Mr. Nichol, seconded by Mr. Burwell, moves that the Attorney General and Mr. Hagerman be directed to prepare an address founded on the Resolution of the House, and to report the same. Which was ordered.

Agreeably to notice, Mr. Jones, of Grenville, seconded by Mr. McLean, of Stormont, moves that the Eighth Rule of this House be amended by inserting therein after the word "Member" the following words, "other than the one who proposes a motion, who shall be allowed to reply." Which was ordered.

Mr. Jones, of Leeds, gives notice that he will on Monday next move a series of Resolutions upon the state of the Province, in so far as it relates to the subject of

naturalization, with a view to further proceedings on the part of this House to procure relief for a considerable portion of the Inhabitants of this Province, many of whom are highly meritorious.

Mr. Jones, of Grenville, gives notice that he will on Monday next move for leave to bring in a Bill to alter the present mode of trying contested Elections.

Mr. Jones, of Grenville, gives notice that he will on to-morrow move for leave to bring in a Bill to define more particularly the qualification of Electors to vote for Members of the House of Assembly.

The House then adjourned till ten o'clock to-morrow.

Friday, 21st November, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Crooks, seconded by Mr. Ham, moves for leave to bring up the Petition of the Magistrates, Grand Jury, Gentlemen and Yeomanry of the District of Gore. Which was granted and the Petition brought up.

Mr. Burwell, seconded by Mr. Nichol, moves for leave to bring up the Petition of the Inhabitants of the County of Middlesex, praying to be erected into a separate district. Which was granted and the Petition brought up.

Mr. Nichol, seconded by Mr. Burwell, moves that he have leave to bring up the Petition of John Matthews and others of the County of Middlesex in the London District of this Province. Which was granted and the Petition brought up.

Agreeably to the order of the day, the Petition from the Justices of the Peace of the Home District in General Quarter Sessions assembled, praying that so much of the Act of last Session, authorizing the building of a Gaol and Court House in and for the Home District, as required the completion of the same in eighteen months might be repealed. The Petition from the Presbyterians of York, praying to be by law rendered capable as a Religious Society of holding land on which to build a House of Worship, Parsonage House, etc., and the Petition of Peter Thomas and others praying for no Canal, were read.

Mr. Baldwin, seconded by Mr. Walsh, moves that the Petition of the Presbyterian Congregation of York be referred to a Select Committee with leave to report by Bill or otherwise and that the Attorney General and Mr. McDonell form the said Committee. Which was ordered.

Mr. Nichol, seconded by Mr. Burwell, moves that the Petition of the Justices in Quarter Sessions of the Home District be referred to a Select Committee and that the Attorney General and Mr. McDonell do constitute the said Committee, with leave to report by Bill or otherwise. Which was ordered.

Mr. Nichol, seconded by Mr. Burwell, moves that the Petition of Peter Thomas and others, Inhabitants of the District of Niagara, be referred to the Select Committee on the Petition of James Gordon and others. Which was ordered.

Agreeably to notice, Mr. Crooks, seconded by Mr. Morris, moves for leave to bring in a Bill to repeal part of and amend the laws now in force for keeping in repair Highways and roads within this Province. Which was granted and the Bill read.

Mr. Crooks, seconded by Mr. Morris, moves that the Highway Amendment Bill be read a second time on Thursday next. Which was ordered.

Agreeably to the order of the Day the House went into Committee on the District Court Bill. Mr. Randal in the Chair.

The House resumed. Mr. Randal reported that the Committee had risen. Ordered that the Report be received.

Mr. Attorney General from the Committee to draft an address to His Excellency the Lieutenant Governor praying for certain papers reported a draft, which was received and read the first time.

Mr. Nichol, seconded by Mr. Burwell, moves that the Fifth Rule of the House be dispensed with in so far as relates to the Address, and that it be now read a second time. Which was carried, and the Address was read the second time.

Mr. Nichol, seconded by Mr. Burwell, moves that the Address be engrossed and read a third time this day. Which was ordered.

Agreeably to notice, Mr. Jones, of Grenville, seconded by Mr. Casey, moves for leave to bring in a Bill to prevent fraud at Elections. Which was granted and the Bill read.

Mr. Jones, of Grenville, seconded by Mr. Ham, moves that the qualification Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor praying for certain papers was read the third time, passed and signed by the Speaker and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly beg leave to request that Your Excellency will be pleased to procure returns of the amount of Duties collected at the Port of Quebec for the year commencing on the fifth of October, one thousand eight hundred and twenty-two, and ending on the fifth day of October, one thousand eight hundred and twenty-three, distinguishing the amount collected in each quarter of the said year, and to direct the same to be laid before this House.

Levius P. Sherwood, Speaker.

Commons House of Assembly,
21 November, 1823.

Mr. Nichol, seconded by Mr. Shaver, moves that the Attorney General and Mr. Hagerman be directed to carry up the said Address in the usual form. Which was ordered.

Mr. Nichol gives notice that he will on Tuesday next move that it be Resolved, that an humble address be presented to His Excellency the Lieutenant Governor praying for information respecting the Boundary Line between this Province and the United States of America.

Mr. Casey gives notice that he will on Wednesday next move for leave to bring in a Bill for the relief of the Methodist Society in this Province.

Mr. Casey gives notice that he will on Wednesday next move for leave to bring in a Bill to confirm certain Marriages in this Province.

Mr. Baldwin gives notice that he will on Monday next move an Address to His Excellency the Lieutenant Governor praying that His Excellency may be pleased to order the proper Officer to lay before this House the report of the proceedings of the Arbitrators and Umpire appointed under the provisions of the Upper and Lower Canada Imperial Trade Act, together with a detail of all matters which

were produced or urged before the said Arbitrators and Umpire, on the part of each Province respectively.

Mr. Nichol gives notice that he will on Tuesday next move that it be Resolved, that an humble Address be presented to His Excellency the Lieutenant Governor praying His Excellency to direct the proper Officer to lay before this House a statement of the proceedings of the Commissioners appointed to investigate the claim of the sufferers during the late war, in so far as the same can be made up.

The House then adjourned till ten o'clock to-morrow.

Saturday, 22nd November, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Morris, seconded by Mr. Jones, of Grenville, moves for leave to bring up the Petition of the Prisoners confined in the Gaol of the Johnstown District. Which was granted and the Petition brought up.

Mr. Ruttan, seconded by Mr. Morris, moves for leave to bring up the Petition of Joseph Tuttle on the limits of the Newcastle District Gaol. Which was granted and the Petition brought up.

Mr. Walsh, seconded by Mr. Horner, moves that he have leave to bring up the Petition of James Carroll of the Town of York. Which was granted and the Petition brought up.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor a Message and having withdrawn the Message was read by the Speaker as follows:

P. MAITLAND.

The Lieutenant Governor transmits to the House of Assembly an account of Debentures issued under the authority of an Act of the Provincial Parliament passed in the second year of His Majesty's Reign Chapter five.
22nd November, 1823.

P. MAITLAND.

The Lieutenant Governor transmits to the House of Assembly a copy of the Report of the Commissioners appointed by an Act of the Provincial Parliament passed during the last Session, entitled "An Act vesting in certain Commissioners herein named all the Stock, Debts, Bonds and Property of the pretended Bank of Upper Canada lately established at Kingston for the benefit of the Creditors of that Institution."
22nd November, 1823.

Mr. Morris, seconded by Mr. Jones, of Grenville, moves that the Report of the Commissioners for settling the affairs of the pretended Bank of Upper Canada, sent down to this House by His Excellency the Lieutenant Governor, be referred to a Select Committee, and that Messrs. Attorney General, Nichol and Jones, of Grenville, do compose the same and that they report thereon by Bill or otherwise, and with power to send for persons and papers.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves that one hundred copies of the Report of the Commissioners for settling the affairs of the pretended Bank of Upper Canada be printed for the use of the Members of this House.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Nichol, Randal, Willson of Wentworth, Clark, Wilmot, Ruttan, Casey, Ham, Hamilton of Wentworth, McDonell, McLean of Stormont, Hamilton of Lincoln, Kerr, Morris, Jones of Grenville, Shaver.

Nays: Messrs. Jones of Leeds, Horner, Pattie, Walsh, Baby, Gordon.

The question was carried in the affirmative by a majority of Eleven and ordered accordingly.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves, That the Printing to be done during the present Session by order of this House, shall be under the superintendence of a Committee, and that Messrs. Morris and Willson of Wentworth compose the said Committee. Which was ordered.

Agreeably to notice, Mr. Ruttan, seconded by Mr. Casey, moves for leave to bring in a Bill to repeal part of and amend an Act passed in the thirty-eighth year of his late Majesty's reign, entitled, "An Act to ascertain and establish on a permanent footing the boundary lines of the different Townships of the Province. Which was granted and the Bill read.

Mr. Ruttan, seconded by Mr. Ham, moves that the Boundary Line Amendment Bill be read a second time on Tuesday next. Which was ordered.

Agreeable to the order of the day, the Qualification Bill was read the second time.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the House do on Monday next resolve itself into a Committee of the whole to take into consideration the Qualification Bill. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Account of Debentures, sent down to this House by His Excellency the Lieutenant Governor, be referred to the Committee on the Public Accounts. Which was ordered.

Mr. Nichol gives notice that he will on Monday next move that it be resolved, That an humble Address be presented to His Excellency the Lieutenant Governor praying His Excellency to direct the proper officer to lay before this House Returns of the population of the London District for the present year, and Copies of the Assessment for the said District for the same period, in so far as the same have been received.

Mr. Nichol gives notice that he will on Wednesday next move that an Humble Address be presented to His Excellency the Lieutenant Governor informing His Excellency that when this House, by Address at its last Session, prayed His Excellency to direct Commissions of Assize and Gaol Delivery, between Hilary and Easter terms, to issue, they did it under the impression that the retrenchment of expenditure recommended to His Excellency's consideration in an Address of this House during the last Session would have been found practicable; but that seeing from the Estimate for the Administration of Justice for the year one thousand eight hundred and twenty-four that considerable addition had been made to the Estimate for that head of Service, this House was unwilling under the actual circumstances of the Province to authorise the additional expense; and praying that His Excellency, for the reasons mentioned, would be graciously pleased to withhold the Commissions of Assize and Gaol Delivery, as prayed for in the Address of this House at its last Session.

Mr. Jones of Grenville gives notice that he will on Monday next move that it be resolved, That an Humble Address be presented to His Excellency the Lieutenant Governor thanking him for his several Messages of the Day.

Mr. Nichol gives notice that he will on Monday next move that it be resolved, That an Humble Address be presented to His Excellency the Lieutenant Governor,

praying His Excellency to direct the proper officer to lay before this House a Return of Moneys paid into the hands of the Special Receiver on account of Forfeited Estates sold under the Authority of Provincial enactments; also the amount of Debentures issued and paid on account of the same: and a statement of the sum now in the hands of the said Special Receiver applicable to the indemnification of the sufferers during the late war.

The House then adjourned till ten o'clock on Monday.

Monday, 24th November, 1823.

The House met. Prayers were read. The minutes of Saturday were read.

Agreeably to the order of the day, the Petition from the Magistrates, etc., of the District of Gore, praying that the Act of last Session for cutting a Canal out of Burlington Bay into Lake Ontario might be carried into effect. The Petitions from the Inhabitants of the Townships of Dunwich, Aldborough, Southwold, Yarmouth, Malahide, Bayham, Dorchester, Westminster, London, Lobo, Carradoc, Ekfrid, Mossa, and Delaware, in the County of Middlesex, praying that said Townships may be erected into a separate district, and the Petition of John Matthews and others praying contra, were read.

Mr. Burwell, seconded by Mr. Bostwick, moves, That the Petition of the Inhabitants of the County of Middlesex, praying to be erected into a Separate District, be referred to the Committee of the whole on the division of the Province. Which was ordered.

Mr. Nichol, seconded by Mr. Gordon, moves that the Petition of John Matthews and others be referred to a Committee of the whole on the division of the Province. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Bostwick, moves for leave to bring up the Petition of Allan McNabb, Esquire, Serjeant-at-Arms. Which was granted and the Petition brought up.

Mr. Hagerman, seconded by Mr. Kerr, move for leave to bring up the Petition of Robert Stanton, Esquire. Which was granted and the Petition brought up.

Mr. Hagerman, seconded by Mr. Kerr, moves for leave to bring up the Petition of Davis Hawley and others. Which was granted and the Petition brought up.

Mr. Attorney General, from the Committee to whom was referred the Petition of the Magistrates of the Home District, reported a Bill which was received and read the first time.

Mr. McDonell, seconded by Mr. Attorney General, moves that the Bill for amending the Gaol and Court House Act for the Home District be read a second time on to-morrow. Which was ordered.

Mr. Attorney General, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House for certain papers relative to the Duties at Quebec, reported the delivery of the same, and that His Excellency had been pleased to make thereto the following Reply:

Gentlemen of the House of Assembly: I shall not fail to take such means as are within my power for procuring you the Documents prayed for in your Address, and I regret that I am not at present enabled to furnish you with the desired information.

Agreeably to notice, Mr. Hagerman, seconded by Mr. Morris, moves that this House do now resolve itself into a Committee of the whole to take into consideration the Commercial Intercourse of this Province with the United States of

America. Which was carried, and Mr. Clark was called to the Chair of the Committee.

The House resumed to receive a Message.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor a Message, and having withdrawn, Mr. Speaker read the same as follows:

P. MAITLAND.

The Lieutenant Governor thinks proper to recommend to the consideration of the House of Assembly the inadequacy of the means afforded by the existing Laws for enabling the District Officers upon whom the duty is imposed, to furnish correct statements of the Population of the Province, and to devise some means for obtaining accurate periodical Returns, which are indispensably required for various objects of Public importance.

24th November, 1823.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that an Humble Address be presented to His Excellency the Lieutenant Governor, thanking him for his Message of this Day, and assuring His Excellency that this House will not fail to give the subject therein recommended its most serious consideration. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the House do on Monday next resolve itself into a Committee of the whole to take into consideration His Excellency's Message upon the subject of obtaining a correct statement of the Population of this Province. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Bostwick, moves that Messrs. Hagerman and Morris be a Committee to draft an Address to His Excellency the Lieutenant Governor on the subject of his Message respecting the Population of this Province, pursuant to its Resolution. Which was ordered.

The House went again into Committee on the Commercial Intercourse of this Province with the United States of America.

Mr. Clark in the Chair. The House resumed.

Mr. Clark reported that the Committee had agreed to four Resolutions, which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow. Ordered that the Report be received, and leave granted accordingly.

The first Resolution was then put and carried, and is as follows:

Resolved, That it is expedient further to regulate by Law the Commercial Intercourse of this Province with the United States of America.

The second Resolution was then put and carried, and is as follows:

Resolved, That from the great extent of Coast of Upper Canada, bordering on the United States of America, affording the greatest facilities for smuggling. and against which it is impracticable by any law of the Province to establish effectual checks, that description of illicit traffic is carried on to an extent highly prejudicial to the Revenue of the Province, destructive of the interest of the Fair Trader, and injurious to the morals of the People.

The third Resolution was then put and carried, and is as follows:

Resolved, That India goods, and more especially Tea, constitute the principal articles smuggled; which is entirely owing to the great difference in the price of these articles, when purchased in the United States or imported from England.

The fourth Resolution was then read from the Chair as follows:

Resolved, That an humble Address be presented to His Majesty praying that he will be graciously pleased to recommend to His Parliament such relaxation in the Laws of the Empire as will authorize his subjects in the Province to get direct from India such goods as they may require, the production of that country (and more particularly the article of Tea), or that they may be permitted to supply themselves therewith through the United States of America, upon the payment of a reasonable duty; or that if either of these measures be deemed inexpedient, some arrangements may be made with the Honorable the East India Company for the annual supply of Tea, to the Province of Canada by direct importation, through the agency of that Company.

Mr. Gordon, seconded by Mr. Jones of Leeds, moves that the Resolution be now re-committed. Which was carried.

The House went into Committee accordingly, Mr. Clark in the Chair. The House resumed.

Mr. Clark reported the Resolution without amendment.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Nichol, Clark, Ruttan, Baby, Horner, Hamilton of Wentworth, McLean of Stormont, Hagerman, Jones of Grenville, McDonell, Ham, Morris, Attorney General, Bostwick.

Nays: Messrs. Baldwin, Jones of Leeds, Willson of Wentworth, Gordon, Wilmot, Walsh, White, Pattie, Randal, Casey, Shaver.

The question was carried in the affirmative by a majority of four, the report received, and it was resolved, That an Humble Address be presented to His Majesty praying that he will be graciously pleased to recommend to his Parliament such relaxation in the Laws of the Empire as will authorize his subjects of this Province to import direct from India such goods as they may require the production of that country (and more particularly the article of Tea), or that they may be permitted to supply themselves therewith through the United States of America, upon the payment of a reasonable duty; or that if either of these measures be deemed inexpedient some arrangements may be made with The Honorable the East India Company for the annual supply of Tea to the Provinces of Canada by direct importation through the agency of that Company.

Mr. Hagerman, seconded by Mr. Morris, moves that it be resolved that the foregoing Resolutions be communicated to the Honorable the Legislative Council, and that that Honorable Body be requested to concur therein. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Bostwick, moves, That Messrs. Hagerman and Nichol be a Committee to carry up to the Honorable the Legislative Council the Resolutions of this House and to request their concurrence thereto. Which was ordered.

Mr. Jones of Leeds, from the Committee to whom was referred the Petition of Hiram Spafford, reported a Bill for his relief. Ordered that the Report be received, and the Bill was read the first time.

Mr. Jones of Leeds, seconded by Mr. Baldwin, moves, That the Bill for the relief of Hiram Spafford be read a second time on Wednesday next. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 25th November, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Morris, seconded by Mr. Casey, moves for leave to bring up the Petition of Sundry Inhabitants of the District of Bathurst, praying for the division of the County of Carleton. Which was granted and the Petition brought up.

Agreeably to the order of the day the Petition from the Debtors in Brockville Gaol, praying that the Prison in which they are confined may be made more comfortable. The Petition from Joseph Tuttle praying for some relief, and the Petition from James Carrol, praying for a Pension, were read.

Mr. Morris, seconded by Mr. Casey, moves that the Petition of the Prisoners in the Gaol of the Johnstown District be referred to the Committee to whom was referred the Petition of the Grand and Petit Juries of the said District that they have power to send for persons and papers, and to report thereon by Bill or otherwise. Which was ordered.

Mr. Ruttan, seconded by Mr. Kerr, moves that the Petition of Joseph Tuttle on the limit of the Newcastle District Gaol be referred to the Committee to whom was referred the Petition of the Grand and Petit Juries of the Johnstown District. Which was ordered.

Mr. Walsh, seconded by Mr. Horner, moves that the petition of James Carrol be referred to a Select Committee, and that Messrs. Willson of Wentworth, Ruttan and Wilmot compose the said Committee, and that they have power to report thereon by Bill or otherwise. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Randal, moves that it be resolved, that the Speaker do . . . . . direct the President and Cashier of the Bank of Upper Canada to lay before this House a list of the Stockholders thereof, the number of shares respectively held by them, with the sums severally paid in, on account of the said shares, and also a statement of the Funds belonging to the said Institution.

In amendment, Mr. Jones of Grenville, seconded by Mr. Crooks, moves, That after the word "House" in the original motion the whole be expunged, and the following words inserted: "the Return required by the Twenty-third Clause of an Act passed in the fifty-ninth year of his late Majesty's reign, chapter twenty-four." Which was carried.

The original question as amended was then put and carried.

Agreeably to the order of the day, the House went into Committee on the Province Division. Mr. Wilmot was called to the Chair. The House resumed.

Mr. Wilmot reported that the Committee had agreed to several Resolutions, which he was directed to submit to the adoption of the House. Ordered that the Report be received.

The resolutions were then severally put and carried, and are as follows:

Resolved, That the great extent of the County of Carleton and the rapid increase of its population render the division of the said County necessary and expedient; and that from henceforth the following Townships, together with all the unsurveyed land lying within the District of Bathurst, shall constitute and form the County of Lanark, viz., Bathurst, Drummond, Beckwith, Dalhousie, Lanark, Ramsay, Darling, Levant, and Sherbroke, North and South; and that the residue of the County of Carleton, viz., the Townships of Nepean, Goulbourne, Huntley, March, Pakenham, FitzRoy, and Tarbolton, do continue and remain the County of Carleton.

Resolved, That the Fifteenth Clause of an Act passed in the Thirty-fifth year of his late Majesty, Chapter fifth, be repealed; and that the Incorporated Counties of Lenox and Addington be declared separate and distinct Counties.

Resolved, That the Townships of Ernest Town, Amherst Island, Camden, Sheffield, and such other Townships as may hereafter be laid out in rear of or nearest thereto do constitute the County of Addington.

Resolved, That the Townships of Adolphustown, Fredericksburg, Richmond, and such other Townships as may hereafter be laid out in rear of or nearest thereto do constitute the County of Lenox.

Resolved, That the representation of those Counties be governed by the same laws now in force regulating the return of Members to serve in the Provincial Assembly from other Counties within this Province.

Resolved, that the local situation of the Land lying in rear of the Rice Lake and the waters thereof, in the County of Northumberland, in the Newcastle District, renders it necessary that it should be formed into a new County.

Resolved, That the Townships of Otonabee, Asphodel, Monaghan, Smith, Douro, Dummer, Belmont, Harvey, Burleigh, and Methuen, together with all the land lying in rear of them, bounded on the West by the Division Line between the Counties of Northumberland and Durham, being produced North sixteen degrees West, till it intersects the Northern limit of the District of Newcastle, and bounded on the East by the Western limit of the Midland District, do form the County of Otonabee.

Resolved, That until the said County of Otonabee shall from its population be entitled to elect a Member to the Provincial Parliament it shall continue to be represented with the County of Northumberland; anything in the Seventh Clause of an Act passed in the sixtieth year of his late Majesty's reign, Chapter two, to the contrary notwithstanding.

Resolved, That the Townships of Whitby, Reach, Brock, Pickering, Uxbridge, Scott, Georgiana, North Gwillimbury, South Gwillimbury, Whitchurch, Markham, Scarborough, York, Vaughan, King, Toronto, Gore of Toronto, Albion, Chinguacousey, Caledon, Etobicoke, do constitute and form the County of York.

That the Townships of Mona, Adjala, Tecumseh, West Gwillimbury, Amaranth, Luther, Proton, Melancthon, Mulmer, Tosorontio, Essa, Innisfil, Oro, Vespra, Sunnidale, Merlin, Osprey, Artemesia, Euphrasia, Zero, Alba, Java, Flos, Medonte, Orillia, Matchedash, Tay, Tiny, Mara, Thora, Rama, with the adjacent Islands on the coast of Lake Huron do form and constitute the County of Simcoe.

Resolved, That the Townships of Nichol, Woolwich, Waterloo, Dumfries, Beverley, East and West Flamboro' and the Reserves in rear of those Townships, shall in future compose the County of Halton, and that the Townships of Nelson, Trafalgar, Nassagaweya, Erin, Eramosa, and Garafraxa compose the County of Nelson.

Mr. Morris, seconded by Mr. Jones of Grenville, moves for leave to bring in a Bill pursuant to the first Resolution of this House, for the better division of the Province. Which was granted, and the Bill read.

Mr. Morris, seconded by Mr. Jones of Grenville, moves that the Bill for the division of the County of Carleton be read a second time to-morrow.

In amendment, Dr. Baldwin, seconded by Mr. Willson of Wentworth, moves that after the word "that" the whole be expunged, and "a Select Committee be

appointed to frame a Bill grounded on the Resolutions of the Committee of the Whole on the Division of the Province, and that Messrs. Hagerman, Wilmot, Morris and Gordon be such Committee," be inserted. Which was lost.

The original question was then put and carried.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 26th November, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Burwell, seconded by Mr. Clark, moves that he have leave to bring up the Petition of Juda Trumble. Which was granted and the Petition brought up.

Mr. Hamilton of Lincoln, seconded by Mr. Bostwick, moves for leave to bring up the Petition of William Peterson. Which was granted and the Petition brought up.

Mr. Burwell, seconded by Mr. Clark, moves that he have leave to bring up the Petition of Charles Ingersoll, Esquire, for himself and his Associates. Which was granted, and the Petition brought up.

Mr. Baldwin, seconded by Mr. White, moves for leave to bring up the Petition of John Dietrich Peterson, a Minister of the Lutheran Church. Which was granted and the Petition brought up.

Agreeably to the order of the day, the Petition from Allan McNabb, Esquire, Serjeant-at-Arms, praying for a Pension, the Petition from Robert Stanton, Esquire, of Kingston, praying that a Law may be passed authorizing and requiring the Commissioners appointed for settling the affairs of the late pretended Bank of Upper Canada, to allow and satisfy the Petitioner's claim, and declaring him to be exempt from any liability to be deprived of his personal liberty, or brought before the said Commissioners under a Warrant issued by them; or relief in such other way as may seem most reasonable and proper, and the Petition from Davis Hawley and others, Stockholders of the late pretended Bank of Upper Canada, were read.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Petition of the Stockholders of the late Bank of Upper Canada, and also the Petition of Robert Stanton, Esquire, be referred to the Committee upon the Report of the Commissioners appointed for settling the affairs of the late pretended Bank of Upper Canada. Which was ordered.

Agreeably to notice, Mr. Jones of Grenville, seconded by Mr. Bostwick, moves that it be resolved, That an Humble Address be presented to His Excellency the Lieutenant Governor, thanking him for His Gracious Messages communicating to this House, "a Copy of the Report of the Commissioners appointed by an Act of the Provincial Parliament, passed during the last Session, entitled 'An Act vesting in certain Commissioners therein named, all the Stock, Debts, Bonds and property of the pretended Bank of Upper Canada, lately established at Kingston for the benefit of the Creditors of that Institution'; also, An Account of Debentures issued under authority of an Act of the Provincial Parliament passed in the second year of His Majesty's Reign, Chapter fifth." Which was ordered.

Mr. Jones, of Grenville, seconded by Mr. Bostwick, moves that Messrs. Morris and Hamilton, of Lincoln, be a Committee to draft an Address to His Excellency the Lieutenant Governor pursuant to the Resolution of this House. Which was ordered.

Mr. Morris from the Committee to draft an Address to His Excellency the Lieutenant Governor, thanking him for his gracious Messages communicating a

copy of Kingston Bank Commissioners' Report, also an account of Debentures, reported a draft which was received and read the first time.

Mr. Jones, of Grenville, seconded by Mr. Bostwick, moves that the Address to His Excellency the Lieutenant Governor be read a second time, and that the Fifth Rule of this House be dispensed with so far as relates to said Address. Which was carried, and the Address was read the second time.

Mr. Jones, of Grenville, seconded by Mr. Morris, moves that the Address to His Excellency the Lieutenant Governor be engrossed and read a third time this day. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Commercial Intercourse. Mr. Clark in the Chair.

The House resumed. Mr. Clark reported several Resolutions. Ordered that the Report be received.

The Resolutions were then put and adopted as follows:

Resolved, that in addition to the duties required by Acts of the Imperial Parliament to be paid on Goods, Wares and Merchandise, the Growth, Produce and Manufactures of the United States of America, it is expedient to enact the following:

	£	s.	d.
Salt, per bushel	0	0	6
Tobacco, per pound	0	0	6
Snuff, per pound	0	0	4
Sole Leather, per pound	0	0	3
Harness Leather, per pound	0	0	4
Calf Skins and other Skins, dressed as Upper Leather, per Skin	0	2	6
Sheep Skins, dressed, per Skin	0	0	6
Morocco, per Skin	0	1	6
Beer, per gallon	0	1	0
Cider, per gallon	0	1	0
Distilled Spirits, per gallon	0	2	6
Shoes, Men's and Women's, per pair	0	2	6
Boots, Men's and Women's, per pair	0	5	0
Children's Boots and Shoes, per pair	0	0	9
Nails, per pound	0	0	2
Scythes, each	0	0	7½
Iron Castings and Tin Wares at	20 per cent. advalorem.		
Cotton and Woollen, manufactured goods at	10 per cent. advalorem.		
Saddles, Bridles, and Harness, at	15 per cent. advalorem.		
Oxen, per head	0	25	0
Young Cattle, from two to four years old, per head	0	15	0
Cows, per head	0	15	0
Live Hogs, per head	0	10	0
Pork, per barrel	0	10	0
Pork, not in barrel, per hundred weight	0	5	0
Flour, per hundred weight	0	2	6
Beef, per barrel	0	10	0
Beef, per hundred weight	0	5	0
Hams and Bacon, per pound	0	0	3

Provided always that any Pork or Beef brought into this Province for exportation only shall not be subject to the payment of the Duties imposed by this Act.

Resolved, that an advalorem Duty of ten per cent. be imposed on all articles imported into this Province from the United States of America not enumerated in the foregoing Resolutions upon which a Duty is not imposed by any Act of the Imperial Parliament, with the exception of Raw Hides, Tallow, Wool, Printing Paper, Cotton Yarn, and personal Baggage.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that Messrs. Burwell and Gordon be a Committee to draft a Bill in conformity with the foregoing Resolutions. Which was ordered.

Agreeably to order the Address to His Excellency the Lieutenant Governor was read the third time, passed and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, beg leave humbly to thank Your Excellency for your gracious Messages communicating to this House a copy of a Report of the Commissioners appointed by an Act of the Provincial Parliament passed during the last Session, intituled "An Act vesting in certain Commissioners therein named, all the Stock, Debts, Bonds and Property of the pretended Bank of Upper Canada lately established at Kingston, for the benefit of the Creditors of that Institution," also "an Account of Debentures issued under authority of an Act of the Provincial Parliament, passed in the second year of His Majesty's Reign, Chapter five."

LEVIUS P. SHERWOOD, Speaker.

Commons House of Assembly,
26th November, 1823.

Mr. Jones, of Grenville, seconded by Mr. Morris, moves that Messrs. Burwell and Wilmot be a Committee to wait upon His Excellency to know when he will be pleased to receive the Address of this House, and to present the same. Which was ordered.

Mr. Hagerman from the Committee to draft an Address to His Excellency the Lieutenant Governor thanking him for his Message respecting Population Returns, reported a Draft, which was received and read the first time.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the Address to His Excellency the Lieutenant Governor be read a second time this day, and that the Fifth Rule of this House be dispensed with so far as relates to the same. Which was carried and the Address was read the second time.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the Address to His Excellency the Lieutenant Governor be engrossed and read the third time this day. Which was ordered.

Agreeably to notice Mr. Attorney General, seconded by Mr. Baldwin, moves that he have leave to bring in a Bill respecting the sale of Lands and Tenements in Execution.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Burwell, Gordon, Baldwin, Ruttan, Hamilton (Lincoln), Jones (Grenville), Morris, Attorney General, Ham, Crooks, Hagerman.

Nays: Messrs. Kerr, Clark, Nichol, Willson (Wentworth), White, Walsh, Pattie, Horner, Randal, Casey, Bostwick, Shaver, Wilmot, Hamilton (Wentworth).

The question was decided in the negative by a majority of two and lost accordingly.

Mr. Hamilton, of Lincoln, gives notice that he will on Friday next move for leave to bring in a Bill to amend an Act passed in the forty-ninth year of His late Majesty's Reign, intituled "An Act to encourage the destroying of wolves in this Province."

The House then adjourned till ten o'clock to-morrow.

Thursday, 27th November, 1823.

The House met. Prayers were read. The Minutes of Yesterday were read.

Mr. Morris, seconded by Mr. Crooks, moves for leave to bring up the Petition of George T. Burke and others of the County of Carleton. Which was granted and the Petition brought up.

Mr. Willson, of Wentworth, seconded by Mr. Ruttan, moves for leave to bring up the Petition of Thomas Dalton, of Kingston. Which was granted and the Petition brought up.

Mr. Jones, of Grenville, seconded by Mr. Morris, moves for leave to bring up the Petition of David Brackenridge, Esquire, and others, praying "that the privilege of solemnizing Marriages in this Province may be extended to the Minister of His Majesty's Methodist subjects." Which was granted, and the Petition brought up.

Mr. Speaker communicated the return of Order for the appearance of Hugh C. Thompson, Publisher of the Upper Canada Herald, at the Bar of this House, with the Return of Service, which were read as follows:

Midland District, to wit.

John McLean, of the said District, Esquire, maketh Oath and saith, that on the Twenty-second day of November instant he personally served Hugh C. Thompson with the annexed Summons by reading the same to him.

Sworn before me at Kingston in said District this twenty-fourth day of November, 1823.

JOHN MCLEAN,
Sheriff Midland District.

JNO. MACAULAY, J.P.

Whereas by a Resolution of the Commons House of Assembly of this day a certain article inserted in a paper published in Kingston, entitled "Upper Canada Herald," and dated November the eleventh, 1823, addressed to the Honorable the Commons House of Assembly of Upper Canada in Parliament assembled, and styled "the Report of the Commissioners for unsettling the affairs of the pretended Bank of Upper Canada lately established at Kingston," is declared a false, scandalous and malicious libel, and a contempt of the privileges of this House, and that Hugh C. Thompson, the publisher of the said paper, be ordered to attend forthwith at the Bar to answer for the said offence. These are therefore to command that you the said Hugh C. Thompson on sight hereof forthwith do appear at the Bar of this House to answer for the said offence.

Given under my hand at York, this eighteenth day of November, 1823.

LEVIUS P. SHERWOOD,
Speaker.

To Hugh C. Thompson, Publisher of the Upper Canada Herald.

Agreeably to the order of the day the Address to His Excellency the Lieutenant Governor, thanking him for his Message on Population Returns was read the third time, passed and signed by the Speaker and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it Please Your Excellency: We, His Majesty's faithful subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave to present our thanks to Your Excellency for Your Excellency's Message recommending the adoption of some more efficient means than are at present in force for the procuring accurate periodical returns of the population of the Province, so indispensably required for various objects of Public importance. And we assure Your Excellency that we will not fail to give the subject our most serious consideration.

LEVIUS P. SHERWOOD, Speaker.

Commons House of Assembly,
27th November, 1823.

Mr. Jones of Grenville, seconded by Mr. Hamilton of Lincoln, moves that Messrs. Burwell and Wilmot be a Committee to wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive the address of this House and to present the same. Which was ordered.

Agreeably to the order of the day, the Petition from the inhabitants of the District of Bathurst, praying to be divided into two Counties, was read.

Mr. Jones of Grenville, seconded by Mr. Jones of Leeds, moves that it be resolved, that the votes of this House during the present Session may be published under the authority of the Speaker. Which was ordered.

Agreeably to the order of the day, the Sedition Law Repeal Bill was read the second time.

Mr. Nichol, seconded by Mr. Willson of Wentworth, moves that the House do now resolve itself into a Committee of the whole to take the Sedition Law Repeal Bill into consideration. Which was carried.

Mr. Walsh was called to the Chair of the Committee. The House resumed. Mr. Walsh reported the Bill without amendment.

On the question for receiving the report the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs Jones (Leeds), Nichol, Gordon, Willson (Wentworth), Clark, Baldwin, White, Walsh, Horner, Pattie, Jones (Grenville), Hamilton (Lincoln), Casey, Ruttan, Kerr, Ham, Crooks, Shaver.

Nays: Messrs. Morris, Hagerman.

The question was carried in the affirmative by a majority of sixteen and the report was received.

Mr. Nichol, seconded by Mr. Willson of Wentworth, moves that the Sedition Act Repeal Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to notice, Mr. Jones of Grenville, seconded by Mr. Morris, moves for leave to bring in a Bill for altering the present mode of trying Contested Elections. On which the House divided and the yeas and nays were taken as follows:

Yeas: Messrs. Jones (Leeds), Nichol, Gordon, Wilmot, Burwell, Ruttan, Hamilton (Lincoln), Hagerman, Jones (Grenville), Crooks, Morris, McLean (Stormont), Bostwick, Shaver, Attorney General.

Nays: Messrs. Willson (Wentworth), Clark, Hamilton (Wentworth), Baldwin, Walsh, White, Horner, Pattie, Baby, Casey, Kerr, Ham.

The question was carried in the affirmative by a majority of three and the Bill was read the first time.

Mr. Burwell from the Committee to wait on His Excellency the Lieutenant Governor, with the address of this House thanking him for His Messages with Bank Commissioners' Report and Debentures, reported delivering the same.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Controverted Election Bill be read a second time on Monday next.

In amendment, Mr. Baldwin, seconded by Mr. Hamilton of Wentworth, moves that the words "Monday next" be expunged, and the words "this day three months" be inserted. On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson (Wentworth), Hamilton (Wentworth), Randal, Clark, Baldwin, Walsh, White, Horner, Pattie, Baby, Casey, Kerr, Ham.

Nays: Messrs. Jones (Leeds), Burwell, Gordon, Nichol, Wilmot, Ruttan, Hamilton (Lincoln), Hagerman, Jones (Grenville), Crooks, Morris, McLean (Stormont), Bostwick, Shaver, Attorney General.

The question was decided in the negative by a Majority of two, and lost accordingly. The original question was then put and carried, and ordered.

Agreeably to notice, Mr. Baldwin, seconded by Mr. Hamilton of Wentworth, moves that it be resolved, that an humble address be presented to His Excellency the Lieutenant Governor, praying His Excellency will please to direct the proper officer to lay before this House the report of the proceedings of the arbitrators and umpire appointed under the provisions of the Act of the Imperial Parliament passed in the third year of the Reign of His present Majesty intitled, "An Act to regulate the Trade of the Province of Lower and Upper Canada, and for other purposes relating to the said Provinces," together with a detail of all matters which were produced or urged before the said arbitrators and umpire on the part of each Province, respectively. On which debates ensued.

Mr. Nichol, seconded by Mr. Gordon, moves that the Debate on the Resolution be adjourned to Wednesday next. Which was carried.

Agreeably to the order of the day, the House went into Committee on Qualification Bill. Mr. Hamilton of Wentworth was called to the Chair of the Committee. The House resumed, the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council, a message, and having withdrawn, the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council request a conference with the Commons House of Assembly on the subject matter of the resolutions sent up by that House on the twenty-fifth instant. And have appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at two o'clock p.m. to-morrow.
Legislative Council Chamber,

27th November, 1823. William Dummer Powell, Speaker.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the request of the Honorable the Legislative Council for a conference on the subject of the resolutions of this House sent to that Honorable Body for concurrence be complied with and that Messrs. Nichol and Hamilton of Lincoln be a Committee to acquaint the Honorable the Legislative Council thereof. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that Messrs. Attorney General, Hagerman, Jones of Leeds, and Nichol be a Committee to confer with the Honorable the Legislative Council on the subject of the Resolutions of this House communicated to that Honorable House. Which was ordered.

The House went into Committee on the Qualification Bill, Mr. Hamilton in the Chair. The House resumed. Mr. Hamilton reported the Bill amended.

On the question for receiving the report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Nichol, Gordon, Burwell, Willson (Wentworth), Ruttan, Hamilton (Lincoln), Hagerman, Ham, Crooks, Morris, Jones (Grenville), McLean (Stormont), Casey, Bostwick, Shaver, Attorney General.

Nays: Messrs. Clark, Randal, Wilmot, Baldwin, Horner, Pattie, Hamilton (Wentworth).

The question was carried in the affirmative by a majority of ten and the report received accordingly.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves that the Qualification Bill be engrossed and read a third time on to-morrow. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Gordon, moves that it be resolved, that an humble address be presented to His Excellency the Lieutenant Governor, praying His Excellency to direct the proper officer to lay before this House a statement of the sums arising from the sales of forfeited estates, paid into the hands of the Special Receiver, specifying the time on which such payments shall have been made, the debentures paid out of the same, also the contingent disbursements of the Commission, and the balance remaining in his hands, applicable to the indemnification of the sufferers. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Burwell, moves that it be resolved, that an humble address be presented to His Excellency the Lieutenant Governor, praying His Excellency to direct the proper officer to lay before this House any information which may be in His Excellency's possession and which it may be in his power to communicate respecting the decision of the Commissioners for ascertaining the boundary between this Province and the United States of America, in so far as the same relates to the awarding the Island commonly denominated Barnhart's Island to the United States. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Burwell, moves that it be resolved, that an humble address be presented to His Excellency the Lieutenant Governor, praying His Excellency to direct the proper officer to lay before this House a report of the proceedings of the Commissioners appointed under the authority of an Act passed in the Fourth year of His Majesty's Reign entitled, "An Act to provide for the appointment of Commissioners to investigate the claims of certain inhabitants of this Province, for losses sustained by them during the late war with the United States of America and for other purposes therein mentioned Which was ordered.

Mr. Nichol, seconded by Mr. Crooks, moves that Messrs. Burwell and Bostwick be ordered to draft addresses to His Excellency the Lieutenant Governor founded on the Resolutions of this House of this day. Which was ordered.

Agreeably to the order of the day, the Boundary Line Bill was read the second time.

Mr. Ruttan, seconded by Mr. Casey, moves that the House resolve itself on Monday next into a Committee of the Whole on the Boundary Line Amendment Bill. Which was ordered.

Mr. Attorney General, from the Committee to whom was referred the Petition of John Putman Clement, reported that the Committee had agreed to a Bill, which he was directed to submit for the adoption of the House. Ordered that the report be received, and the Bill was read the first time.

Mr. Nichol, seconded by Mr. Burwell, moves that the Bill for the relief of John Putman Clement be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Home District Gaol and Court House Bill was read the second time.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the House do now resolve itself into a Committee upon the Home District Court House Bill. Which was carried.

Mr. Hagerman was called to the Chair of the Committee. The House resumed. Mr. Hagerman reported the Bill without amendment. Ordered that the report be received.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Home District Court House Bill be engrossed and read a third time to-morrow. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Friday, 28th November, 1823.

The House Met. Prayers were read. The minutes of yesterday were read.

Mr. Kerr, seconded by Mr. Ruttan, moves for leave to bring up the Petition of Adin Beebee and others of the Township of Louth. Which was granted and the Petition brought up.

Agreeably to the order of the day, the Sedition Law Repeal Bill was read the third time.

Mr. Nichol, seconded by Mr. Gordon, moves that the Sedition Law Repeal Bill do now pass and that it be entitled, "An Act to repeal an Act passed in the Forty-fourth year of the Reign of His late Majesty George the Third entitled, 'An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof.'" Which was carried and the Bill signed.

Mr. Morris, seconded by Mr. Attorney General, moves that Messrs. Nichol and Gordon be a Committee to carry to the Honorable the Legislative Council the Bill entitled, "An Act to repeal an Act passed in the Forty-fourth year of the Reign of His late Majesty George the Third entitled 'An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof,'" and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Home District Gaol and Court House Bill was read the third time.

Mr. McDonell, seconded by Mr. Morris, moves that the Bill do now pass and that it be entitled, "An Act to alter and amend an Act passed in the Fourth year of His Majesty's Reign entitled, 'An Act to provide for the erection of a Gaol and Court House in and for the Home District.'" Which was carried and the Bill signed.

Mr. McDonell, seconded by Mr. Morris, moves that Messrs. Nichol and Gordon be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to alter and amend an Act passed in the Fourth year of His Majesty's Reign entitled, 'An Act to provide for the erection of a Gaol and Court House in and for the Home District,'" and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petition of Juda Trumble, praying that a Pension may be allowed to the child of the late John Gallipo, who died on service during the late war with the United States of America, the Petition of William Peterson praying that a Pension may be granted him, the Petition of Charles Ingersoll, praying for an exclusive right to run a line of stages between Niagara and Sandwich, and the Petition from John D. Peterson, Minister of the Lutheran Congregations at Vaughan and Markham, praying for a support, were read.

Mr. Burwell, seconded by Mr. Jones of Leeds, moves that the Petition of Charles Ingersoll, Esquire, for himself and his associates, be referred to a Select Committee to be composed of Messrs. Attorney General and Gordon, and that they have leave to report by Bill or otherwise. Which was ordered.

Mr. Hamilton of Lincoln, seconded by Mr. Ruttan, moves that the Petition of William Peterson be referred to a Select Committee and that Messrs. Jones of Leeds and Burwell be a Committee for that purpose, and that they report by Bill or otherwise. Which was ordered.

Mr. Hamilton of Lincoln, seconded by Mr. Ruttan, moves that the Petition of Juda Trumble be referred to a Select Committee and that Messrs. Jones of Grenville and McLean be a Committee for that purpose, and that they have leave to report by Bill or otherwise. Which was ordered.

Mr. Jones of Grenville, from the Committee to whom was referred the consideration of the laws about to expire, reported that the Committee had agreed to three Bills which he was directed to submit to the House, viz., The Tavern License Bill, Shop License Bill, and Returning Officers' Bill. Ordered that the report be received and the Tavern License Bill was read the first time.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves that the Tavern License Bill be read a second time to-morrow. Which was ordered.

The Shop License Bill was then read the first time.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Shop License Bill be read a second time to-morrow. Which was ordered.

The Returning Officers' Bill was then read the first time.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves that the Bill relating to Returning Officers be read a second time to-morrow. Which was ordered.

Mr. Burwell, from the Committee to draft addresses to His Excellency the Lieutenant Governor, founded on certain resolutions of yesterday, reported three several addresses. Ordered that the report be received.

The address on Boundary Line was then read the first time.

Mr. Nichol, seconded by Mr. Burwell, moves that the fifth rule of the House in so far as relates to the address on Boundary Line be dispensed with, and that it be now read a second time. Which was carried and the address was read a second time.

Mr. Nichol, seconded by Mr. Burwell, moves that the address on Boundary Line be engrossed and read a third time this day. Which was ordered.

The address on Special Receiver's Accounts was then read the first time.

Mr. Nichol, seconded by Mr. Burwell, moves that the fifth rule of the House be dispensed with in so far as relates to the address to His Excellency the Lieutenant Governor on Special Receiver's Accounts, and that it be now read a second time. Which was carried and the address was read the second time.

Mr. Nichol, seconded by Mr. Burwell, moves that the address on Special Receiver's Accounts be engrossed and read a third time this day. Which was ordered.

The address on Commissioner's Report was then read the first time.

Mr. Nichol, seconded by Mr. Burwell, moves that the fifth rule of the House be dispensed with in so far as relates to the address for Commissioners' Report, and that it be now read a second time. Which was carried and the address was read the second time.

Mr. Nichol, seconded by Mr. Burwell, moves that the address for Commissioners' Report be engrossed and read a third time this day. Which was ordered.

Mr. Burwell, from the Committee appointed to frame a Bill on the subject of the Commercial Intercourse between this Province and the United States of America, reported a draft, which was received and read the first time.

Mr. Hagerman, seconded by Mr. Hamilton of Lincoln, moves that the Intercourse Bill be read a second time on to-morrow. Which was ordered.

Agreeably to the order of the day, the Criminal Jurisdiction Bill was read the second time.

Mr. Nichol, seconded by Mr. Wilson of Wentworth, moves that the House do now resolve itself into a Committee of the Whole on the Criminal Jurisdiction Bill. Which was carried.

Mr. Ham was called to the Chair of the Committee. The House resumed. Mr. Ham reported progress and asked leave to sit again this day three months. Ordered that the report be received and leave was granted accordingly.

Agreeably to notice, Mr. Casey, seconded by Mr. Ham, moves for leave to bring in a Bill for the relief of the Methodist Society in this Province. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Wilmot, Clark, Horner, White, Walsh, Pattie, Casey, Ruttan, Kerr, Jones (Grenville), Hagerman, Ham, Crooks, Shaver.

Nays: Messrs. Burwell, Nichol, Willson (Wentworth), Hamilton (Wentworth), Randal, Hamilton (Lincoln), McDonell, Morris, McLean (Stormont), Attorney General, Bostwick.

The question was carried in the affirmative by a majority of four. Leave granted and the Bill read.

Mr. Casey, seconded by Mr. Pattie, moves that the Methodist Relief Bill be read a second time on to-morrow.

In amendment, Mr. Nichol, seconded by Mr. Willson, of Wentworth, moves that in the original motion the word "to-morrow" be expunged and the words "this day three months" be inserted. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Nichol, Willson (Wentworth), Hamilton (Wentworth), Randal, Horner, Hamilton (Lincoln), McDonell, Morris, McLean, (Stormont), Bostwick, Attorney General.

Nays: Messrs. Jones (Leeds), Clark, Wilmot, White, Walsh, Pattie, Kerr, Casey, Ruttan, Ham, Jones (Grenville), Hagerman, Crooks, Shaver.

The question was decided in the negative by a majority of two and lost accordingly. The original question was then put and carried.

Agreeably to the order of the day, the addresses to His Excellency the Lieutenant Governor were read the third time, passed and signed by the Speaker, and are as follows:

To His Excellency Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We His Majesty's dutiful and Loyal Subjects the Commons of Upper Canada in Provincial Parliament Assembled, humbly pray that Your Excellency will be pleased to direct the proper officer to lay before us any information which may be in Your Excellency's power to communicate respecting the decision of the Commissioner for ascertaining the Boundary between this Province and the United States of America, in so far as the same relates to the awarding the Island commonly denominated Barnhart's Island to the United States.

Commons House of Assembly,
28th November, 1823. LEVIUS P. SHERWOOD, Speaker.

To His Excellency Sir Peregrine Maitland, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada and Major General Commanding His Majesty's Forces therein, etc.

May it Please Your Excellency: We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly pray Your Excellency will be pleased to direct the proper officer to lay before us a statement of the sums arising from the sales of forfeited estates, paid into the hands of the special Receiver, specifying the time at which such payments shall have been made, the Debentures paid out of the same, also the contingent disbursements of the Commission, and the balance remaining in his hands applicable to the indemnification of the sufferers.

LEVIUS P. SHERWOOD, Speaker.

Commons House of Assembly,
28th November, 1823.

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.,

May it Please Your Excellency: We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly pray that Your Excellency will be pleased to direct the proper officer to lay before us a Report of the proceedings of the Commissioners appointed under the authority of an Act passed in the fourth year of His Majesty's Reign, intituled "An Act to provide for the appointment of Commissioners to investigate the claims of certain Inhabitants of this Province for losses sustained by them during the late war with the United States of America, and for other purposes therein mentioned."

LEVIUS P. SHERWOOD, Speaker.

Commons House of Assembly,
28th November, 1823.

Mr. Nichol, seconded by Mr. Burwell, moves that Messrs. McLean of Stormont and Shaver be ordered to present the several Addresses passed this day to His Excellency the Lieutenant Governor in the usual way. Which was ordered.

Agreeably to notice, Mr. Casey, seconded by Mr. Ham, moves for leave to bring in a Bill to confirm certain Marriages in this Province. Which was granted and the Bill read.

Mr. Casey, seconded by Mr. Pattie, moves that the Marriage Confirmation Bill be read a second time on to-morrow. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Hamilton, of Wentworth, moves that it be Resolved, that an humble Address be presented to His Excellency the Lieutenant Governor to acquaint His Excellency that in addressing him at the last Session praying His Excellency to direct Commissions of Assize and General Gaol Delivery between Hilary and Easter terms to issue this House did it under an impression that the retrenchment of expenditure recommended to His Excellency's consideration during the last Session would have been found practicable, but that seeing from the Estimates for the Administration of Justice for the year One Thousand Eight hundred and twenty-four that considerable addition has been made for that head of service, this House is unwilling under the actual circumstances of the Province to authorize the additional expenses, and to pray His Excellency for the reasons mentioned to withhold the Commissions of Assize and General Gaol Delivery, notwithstanding the former Address of this House.

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Nichol, Clark, Hamilton (Wentworth), Willson (Wentworth), Baldwin, Horner, White, Walsh, Wilmot, Pattie, Kerr, Ruttan, Crooks, Morris, McDonell.

Nays: Messrs. Jones (Leeds), Gordon, Randal, Casey, Hamilton (Lincoln), Jones (Grenville), Hagerman, Ham, McLean (Stormont), Bostwick, Shaver.

The question was carried in the affirmative by a majority of five and resolved accordingly.

Mr. Nichol, seconded by Mr. Burwell, moves that Messrs. Hamilton, of Wentworth, and Willson, of Wentworth, be appointed to draft an Address to His Excellency the Lieutenant Governor founded on the Resolution of this House. Which was ordered.

Mr. Attorney General, from the Committee to confer with the Committee appointed by the Honorable the Legislative Council on the subject matter of certain Resolutions sent up from this House for the concurrence of that Honorable Body, relative to petitioning His Majesty respecting India Goods and more especially Tea, for the consumption of this country, reported as follows:

Joint Committee Room, November 28, 1823.

The Committee of Conference appointed by the House of Assembly to confer with a Committee of Conference from the Honorable the Legislative Council upon certain Resolutions of the House of Assembly respecting the importation of Tea into this Province, met the said Committee and were informed by them, that the Honorable the Legislative Council concurred with the House of Assembly in the importance of making an application to His Majesty's Government upon that subject, but as they might not entirely concur in a representation placing the desired measures in the order expressed in the Resolutions transmitted from the House of Assembly, they are desirous that a Joint Committee of Conference should be formed, who should be at liberty to frame a Report upon such information as they can procure, without being confined in their recommendation of measures to the order in which they are stated on the Resolution.

Mr. Ruttan gives notice that he will on Saturday next move that it be Resolved, that an humble Address be presented to His Excellency the Lieutenant Governor requesting that His Excellency will be pleased to direct the Commissioners of Internal Navigation to cause a survey to be made by competent persons, of the Isthmus between the Harbour of Presqu' Isle and the Head of the Bay of Quinte in the Newcastle District, and estimates to be prepared of the sum requisite to connect the same by a navigable Canal.

Mr. Ruttan gives notice that he will on Monday move for leave to bring in a Bill founded upon certain Resolutions of this House on the division of the Province.

Mr. Baldwin gives notice that he will on Monday next move that it be Resolved, that the Public Accounts laid before this House at its present Session be printed as early as possible for the use of the Members, and that such Resolution be held as a Standing Order of the House in future.

The House then adjourned till ten o'clock Monday a.m.

Monday, 1st December, 1823.

The House met. Prayers were read. The Minutes of Friday were read.

Mr. Hagerman, seconded by Mr. Ruttan, moves that he have leave to bring up the Petition of Jonathan Allen and others. Which was granted and the Petition brought up.

Agreeably to the order of the day the Qualification Bill was read the third time. Mr. Jones, of Leeds, seconded by Mr. Randal, moves that the Qualification Bill be recommitted to a Committee of the whole House for further consideration.

In amendment, Mr. Jones of Grenville, seconded by Mr. Nichol, moves that after the word "Bill" in the original motion the whole be expunged and the following words inserted, "do now pass and that it be intituled An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly and the qualification of Voters and Candidates at such Elections and also to provide against Fraud in obtaining qualifications to vote at Elections.".

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Nichol, Gordon, Hamilton (Lincoln), Ruttan, Casey, Hagerman, Kerr, Ham, Jones (Grenville), McDonell, Morris, McLean (Stormont), Bostwick, Shaver.

Nays: Messrs. Jones (Leeds), Clark, Randal, Willson (Wentworth), Wilmot, Baldwin, Walsh, Horner, White, Pattie, Willson (Prince Edward).

The question was carried in the affirmative by a majority of four.

On the original question as amended being put the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Gordon, Nichol, Hamilton (Lincoln), Ruttan, Casey, Hagerman, Kerr, Jones (Grenville), Ham, McDonell, Morris, McLean (Stormont), Bostwick, Shaver.

Nays: Messrs. Jones (Leeds), Baldwin, Randal, Clark, Wilmot, Willson (Prince Edward), Walsh, White, Horner, Pattie.

The question was carried in the affirmative by a majority of five and ordered accordingly.

Mr. Morris, seconded by Mr. McLean, of Stormont, moves that Messrs. Burwell and McMartin be a Committee to carry to the Honorable the Legislative

Council the Bill intituled, "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly, and the qualification of Voters and Candidates at such Elections, and also to provide against Fraud in obtaining qualifications to vote at Elections," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day the Petition of Thomas Dalton praying, etc.,—the Petition of the members and friends of the Methodist Episcopal Church of Upper Canada praying that the privilege of solemnizing Marriage may be extended to the Ministers of that Church, and the Petition from the Inhabitants of the Township of Louth praying that the allowances for Roads may be continued in the same places as were marked out in the original Survey, were read.

Mr. Jones, of Grenville, seconded by Mr. Morris, moves that the Petition of Thomas Dalton be referred to a Select Committee this day three months. Which was ordered.

Mr. Kerr, seconded by Mr. McMartin, moves that the Petition of Adin Beebee, and others of the Township of Louth be referred to a Select Committee, and that Messrs. Wilmot, Willson, of Wentworth, Burwell, Randal and Nichol do compose the same, and report by Bill or otherwise. Which was ordered.

Pursuant to the order of the House, Hugh C. Thompson, publisher of a paper styled the Upper Canada Herald, appeared at the Bar and was examined touching the publication complained of as a libel against the House of Assembly in that paper of the eleventh of November, ultimo.

Mr. Nichol, seconded by Mr. Burwell, moves that it be Resolved, that Hugh C. Thompson having appeared at the Bar in obedience to the order of this House, and expressed contrition for the offence with which he stands charged, and having also satisfied the House that he had no intention of infringing its privileges, he be reprimanded and discharged. Which was carried. Hugh C. Thompson was reprimanded by the Speaker and discharged.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the Honorable the Legislative Council be informed that this House has adopted the report of the Joint Committee of Conference upon the Resolution of this House respecting the importation of Tea into this Province, and that Messrs. Jones, of Leeds, and Morris be a Committee for that purpose. Which was ordered.

Agreeably to the order of the Day the House went into Committee upon His Excellency the Lieutenant Governor's Message of the twenty-fourth November. Mr. Bostwick was called to the Chair of the Committee.

The House resumed. Mr. Bostwick reported that the Committee had agreed to a Resolution which he was directed to submit for the adoption of the House.

On the question for receiving the Report the House divided and the yeas hand nays being taken were as follows:

Yeas: Messrs. Burwell, Nichol, Gordon, Clark, Willson (Wentworth); Wilmot, Horner, Pattie, Ruttan, Casey, Hagerman, Kerr, Jones (Grenville), Ham, Crooks, Morris, Attorney General, Hamilton (Lincoln), Shaver, Bostwick.

Nays: Messrs. Jones (Leeds), Baldwin, Walsh, White.

The question was carried in the affirmative by a majority of sixteen, and the Report was received accordingly, and it was

Resolved, that it is the opinion of this House that a Conference be requested with the Honorable the Legislative Council upon the subject of the Message of His Excellency the Lieutenant Governor recommending to the Legislature to make some more effectual provision for obtaining an accurate census of the population of this Province.

Mr. Attorney General, seconded by Mr. Jones, of Grenville, moves that Messrs. Burwell and Wilmot be a Committee to request a Conference with the Honorable the Legislative Council in conformity to the foregoing Resolution. Which was ordered.

Agreeably to the order of the day, Spafford's Relief Bill was read the second time. Mr. Jones of Leeds, seconded by Mr. Burwell, moves that the House do now go into Committee of the whole on the Spafford Relief Bill. Which was carried, and Mr. Casey was called to the Chair of the Committee.

The House resumed. Mr. Casey reported the Bill as amended. Ordered that the Report be received.

Mr. Jones, of Leeds, seconded by Mr. Burwell, moves that the Bill for the relief of Hiram Spafford be engrossed and read a third time to-morow. Which was ordered.

Mr. McLean, of Stormont, of the Committee appointed to wait upon His Excellency the Lieutenant Governor with several Addresses of this House, reported delivering the same and that His Excellency has been pleased to make thereto the following replies:

Gentlemen of the House of Assembly: I have not received officially any Report of the determination of the Boundary Line between this Province and the United States of America, but in consequence of directions from His Majesty's Government that part of the Boundary to which your Address refers has recently undergone a careful survey and examination by the Commissioner of the Navy, whose report thereon has been transmitted to the Secretary of State for the Colonies.

Gentlemen of the House of Assembly: I have directed that the papers prayed for in your Address shall be laid before you as early as they can be prepared.

Gentlemen of the House of Assembly: I think it right to intimate to you that any interference with the proceedings of the Commissioners appointed to investigate the claims for losses sustained during the late war, which may have a tendency to obstruct the progress of the business before them and delay their final Report, must have an effect which I think cannot fail to be prejudicial to the interests of the claimants inasmuch as I am restrained by the orders of His Majesty's Government from making any payment until the revision of the claims shall be completed.

Agreeably to the order of the day the Carleton Division Bill was read a second time.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message and having withdrawn the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have agreed to a Conference with the Commons House of Assembly upon the subject of the Message from His Excellency the Lieutenant Governor recommending to the Legislature to make some more effectual provision for obtaining an accurate census of the Population of this Province, and for that purpose have appointed a Committee of two of its Members, who will be ready to meet the Committee of the Commons House of Assembly at twelve o'clock noon, to-morrow, in the Joint Committee Room.

William Dummer Powell, Speaker.

Legislative Council Chamber,
First December, 1823.

Mr. Jones, of Grenville, seconded by Mr. Morris, moves that Messrs. Attorney General, Hagerman, Burwell and Willson, of Wentworth, be a Committee to confer with the Committee of the Honorable the Legislative Council on His Excellency's Message respecting Returns of the Population of this Province. Which was ordered.

Mr. Morris, seconded by Mr. Jones, of Grenville, moves that the House do now Resolve itself into a Committee of the Whole on the Carleton Division Bill, and that the Petition of sundry Inhabitants of the Bathurst District, and also the Petition of George T. Burke and others, be referred to the said Committee. Which was carried and Mr. Kerr was called to the Chair of the Committee.

The House resumed. Mr. Kerr reported the Bill without amendment. Ordered that the Report be received.

Mr. Morris, seconded by Mr. Jones, of Grenville, moves that the Carleton Division Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day the Collectors' Bill was read the second time.

Mr. Jones, of Grenville, seconded by Mr. Morris, moves that the House do now resolve itself into a Committee of the Whole on the Collectors' Bill. Which was carried and Mr. Shaver was called to the Chair of the Committee.

The House resumed. Mr. Shaver reported progress and asked leave to sit again to-morrow. Ordered that the Report be received and leave was granted accordingly.

Mr. Casey gives notice that he will on to-morrow move for leave to bring in a Bill to declare the Incorporated Counties of Lenox and Addington to be separate and distinct Counties.

Mr. Jones, of Grenville, gives notice that he will on to-morrow move for leave to bring in a Bill to amend the Law establishing a Court of Probate in this Province, and a Surrogate Court in the several Districts in this Province.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 2nd December, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day the Bill for the relief of Hiram Spafford was read the third time.

Mr. Jones, of Grenville, seconded by Mr. Hamilton, of Lincoln, moves that the Bill do now pass and that it be intituled "An Act for the relief of Hiram Spafford." Which was carried and the Bill signed.

Mr. Morris, seconded by Mr. McDonell, moves that Messrs. Jones, of Leeds, and Burwell be a Committee to carry to the Honorable the Legislative Council the Bill intituled "An Act for the relief of Hiram Spafford," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day the Carleton Division Bill was read the third time.

Mr. Morris, seconded by Mr. Shaver, moves that the Bill do now pass and that it be entitled "An Act to divide the County of Carleton in the Bathurst District." Which was carried and the Bill signed.

Mr. Jones, of Grenville, seconded by Mr. Hamilton, of Lincoln, moves that Messrs. Morris and Ruttan be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act to divide the County of Carleton

in the Bathurst District," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day Clement's Relief Bill was read the second time.

Mr. Jones, of Grenville, seconded by Mr. Hamilton, of Lincoln, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Bill for the relief of John P. Clements. Which was carried, and Mr. Baldwin was called to the Chair of the Committee.

The House resumed. Mr. Baldwin reported progress and asked leave to sit again to-day. Ordered that the Report be received, and leave was granted accordingly.

Agreeably to the order of the day the Shop License Bill was read a second time.

Mr. Jones, of Grenville, seconded by Mr. Hamilton, of Lincoln, moves that the Shop License Bill be referred to a Committee of the whole House. Which was carried, and Mr. Wilmot was called to the Chair of the Committee.

The House resumed. Mr. Wilmot reported progress and asked leave to sit again to-morrow. Ordered that the Report be received and leave was granted accordingly.

Agreeably to the order of the day the Tavern License Bill was read the second time.

Mr. Jones, of Grenville, seconded by Mr. McDonell, moves that the Tavern License Bill be now referred to a Committee of the Whole. Which was carried, and Mr. Attorney General was called to the Chair of the Committee.

The House resumed. Mr. Attorney General reported progress and asked leave to sit again to-morrow. Ordered that the report be received and leave was granted accordingly.

Agreeably to the order of the day the Returning Officers Bill was read the second time.

Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that the Returning Officers Bill be now referred to a Committee of the whole House. Which was carried and Mr. Pattie was called to the Chair of the Committee.

The House resumed. Mr. Pattie reported the Bill as amended. Ordered that the Report be received.

Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that the Returning Officers' Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor several Messages with sundry documents and having withdrawn the Speaker read the Messages as follows:

P. MAITLAND.

The Lieutenant Governor transmits to the House of Assembly a copy of a Communication from the late Commissioner in England, who had been entrusted with the charge of purchasing the most approved machinery for the dressing of hemp, as authorized by the Provincial Act.

The four sets of machinery have arrived, and the Lieutenant Governor, with the advice of the Executive Council, has directed that one shall be sent to the Sheriff of each of the following Districts: Midland, London, Gore and Bathurst, to be there employed for the use of the Inhabitants under the direction of the Magistrates.

The work alluded to in the Commissioner's letter has been placed in the Library of the Legislature.

2nd December, 1823.

(Copy.) November 19th, 1823.

Sir,—I have the honor to report to you for the information of His Excellency the Lieutenant Governor that upon the receipt of your letter of the First of May, 1822, addressed to me in England, and requesting me to obtain and export to this country machinery of the most approved description, for preparing and dressing hemp, I lost no time in applying to the best sources of information on the subject. I obtained an introduction to the Secretary of the Royal Society of Arts, where all my enquiries were readily answered, and I had communications with a person who was for many years Inspector of Canvas for the Navy; and also with a gentleman of intelligence who has been very extensively concerned in Contracts for shipping and preparing Hemp, for the use of the Dock Yards.

The result of my enquiry led me to believe that it would be an unprofitable expenditure of the money voted to apply it to the purchase of any of the more complicated machinery which is used in England for some purposes in the preparation of Hemp, and more generally of Flax.

I found that Lee's patent machinery, which was some years ago much in use, had been found not to answer, and that for some years past they have reverted in England to the use of the ordinary heckle employed in Russia.

Mr. Macedesly, a very eminent mechanic and machinist, gave me the same account, and recommended me not to send out any of the machinery which is still in use in preparing hemp for the purposes of finer manufacture, assuring me that it would not be found beneficial.

I understand the machinery used in most parts of England, and particularly in Suffolk, for breaking the hemp before heckling, and which is driven either by water or by horses, is very simple, but not of a nature to admit of exportation.

After making the best enquiry in my power, I was induced to order four of the common heckles, on iron stands, of a superior description, which I thought would serve as models in different parts of the country, and perhaps induce persons raising hemp to procure some of a similar description, if they found the expense not unreasonable. They were not quite ready for shipment when I left England, but I was told that the first cost of the whole would not exceed one hundred pounds. They are the same which are recently arrived addressed to the Government.

I will add that manual labor being abundant and cheap in England, the application of machinery to the coarse preparation of hemp for naval purposes, which I take it for granted is the object in this country, is not likely to be so carefully studied, as in the United States, whose circumstances are different, and I have no doubt that models of machinery suited to our purpose can more easily be met with in the latter country.

I send you a copy of Wissett's Treatise on Hemp, which I was told is the best, and which (the book being out of print) I could only procure second hand.

I have the honor to be, etc.,

JOHN B. ROBINSON.

To Major Hillier, etc.,

Certified, G. Hillier.

P. MAITLAND.

The Lieutenant Governor transmits to the House of Assembly a copy of the Report of the Arbitrators appointed under the Canada Trade Act for deciding the amount of Arrears of Revenue due to Upper Canada from the Lower Province, except such as relate to Duties levied under Acts of the Imperial Parliament, which,

in conformity to the provisions of the Law, are reported to the Lords Commissioners of His Majesty's Treasury; together with the proceedings of the Arbitrators relative to the application of the proceeds of the Tolls levied at Chateaugay.

The Lieutenant Governor has no doubt that the House of Assembly will recognize in these documents the zeal and ability with which the negotiation has been conducted on the part of the Province, and that the House will perceive the propriety of enabling him to afford an adequate remuneration to the officers employed on that important duty, by placing at his disposal for that purpose a sum not less than Five hundred pounds.

2nd December, 1823.

The Arbitrators' Report was then read as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major-General Commanding His Majesty's Forces therein, etc.

The Report of the Arbitrator on the part of the Province of Upper Canada appointed by Commission bearing date the 4th January, 1823, Pursuant to the Seventeenth Section of an Act of the Imperial Parliament of the United Kingdom of Great Britain and Ireland, passed in the third year of his Majesty's reign, entitled, "An Act to regulate the Trade of the Province of Lower and Upper Canada, and for other purposes relating to the said Provinces."

The Arbitrator on the part of Upper Canada repaired immediately after the receipt of his Commission to Montreal, where he met the Arbitrator on the part of the Province of Lower Canada, on the 20th day of January, 1823. Having communicated to each other their respective authorities the two arbitrators proceeded to the nomination of a third Arbitrator, and after some deliberation their choice fell on Robert Morrogh, Esquire, who consented to act in that capacity, and was duly appointed by an Instrument dated the Twenty-second day of the same month.

This part of their duty being accomplished, the Arbitrators for Upper and Lower Canada then determined on going to Quebec for the sake of having a more ready access to the Public Accounts and other Documents to which frequent references might be found necessary, and on their arrival at that city, an Abstract of the Claims of Upper Canada for Arrearages of Drawbacks or Duties under Provisional Agreements was, on the 29th January, delivered to the Arbitrator for Lower Canada, who communicated his remarks on all the claims embraced in that Paper on the 8th February.

At this stage of the proceedings an Adjournment was deemed expedient and was accordingly agreed on for an indefinite period owing to the difficulty experienced in obtaining information on some of the Claims, and in order to give time for further investigation and inquiry.

On the 22nd day of July last the two Arbitrators first appointed having again met at Quebec, resumed the discussion of the Claims of Upper Canada, under Provisional Agreements as well as British Acts of Parliament, but as they had not agreed respecting the former class, they were under the necessity of appealing on the 21st August to the Third Arbitrator, who made known his decision at Montreal on the 27th of the same month.

The Arbitrator has now the honor to lay before Your Excellency the various Papers connected with the Claims for Arrears of Revenue, as well as other matters touched upon during the Arbitration in the following order:

1st. Abstract exhibited by Upper Canada of Claims made under Provisional Agreement marked A, and accompanied by Papers marked and numbered A, number 1 to 26.

2nd. Award of Arbitrators on the Claims marked B.

3rd. Joint Letter of the Three Arbitrators to the Secretary of His Majesty's Treasury, with report of Claims of Upper Canada, under British Acts marked C No. 1 and accompanied by Papers marked C No. 2 to No. 9.

4th. Determination of the three Arbitrators relative to the Improvement of the Navigation of the River Saint Lawrence marked D No. 1, and accompanied by Papers marked D No. 2 to No. 9.

5th. Note from the Arbitrator for Lower Canada on establishing an Office of Export at Montreal marked E No. 1, accompanied by reply of the Arbitrator for Upper Canada marked E No. 2.

It will be seen by the Papers marked B, that there has been awarded the Province of Upper Canada the sum of Twelve thousand two hundred and twenty pounds, seventeen shillings and sixpence currency in full and complete satisfaction of all claims for Arrearages of Drawbacks under Provisional Agreements between the Provinces.

The Arbitrator cannot close this Report without making known to Your Excellency his regret at having failed in his endeavors to impress either on the Arbitrator for Lower Canada, or on the Third Arbitrator, the conviction he himself experienced of the strict justice and reasonableness of the Claim which was unfortunately rejected for a proportion of the Auction Duty.

The Arbitrator has also to add in explanation that he refrained from any observations on the Paper delivered to him on the 9th August, being of opinion that a discussion between the Arbitrators themselves respecting their powers and duties could at that stage of the negotiation produce no useful result, and conceiving likewise that the question whether he had or had not conformed to his Instructions would most properly come under the consideration of Your Excellency.

All of which is humbly submitted.

(Signed) J. BABY,
Arbitrator for Upper Canada.

Montreal, 29th August.

A true Copy, J. Baby.

A.

Abstract of the Claims of the Province of Upper Canada upon the Province of Lower Canada on account of Drawbacks or Proportion of Duties under Agreements made and ratified by the Authority of the Legislatures of the two Provinces, according to the fair understanding and construction of the said Agreements:

		Currency.		
		£	s.	d.
1st.	Arrearage of duty for the years 1805 to 1812, inclusive	2,469	4	4
2nd.	On duties collected under 53rd Geo. 3rd, in 1813, and not accounted for to Upper Canada, on articles ascertained to have passed Coteau du Lac	6,464	10	2
3rd.	On Port Wine on which an additional duty was levied, but no entry made at Coteau du Lac for more than a year, i.e., from the 15th February, 1813, to the 25th April, 1814	588	17	0
4th.	On expiring Laws	3,000	0	0

5th.	On duties on Merchandise between the 1st October, 1813, and 31st December, 1814, an acount of which was not begun to be kept at Coteau du Lac till the 25th April, 1814	5,394	1	2
6th.	On goods passing Coteau du Lac from 1st January to 25th March, 1815, when the law expired at five per cent. ad valorem	800	0	0
7th.	On Merchandise purchased by the Commissariat in Lower Canada and sent to Upper Canada for the Army, Navy, Navy Yard, Commissariat, Quarter Master General's Department, etc., since 1st October, 1813, of which no account has been taken at Coteau du Lac	5,250	0	0
8th.	On Merchandise passing Coteau du Lac in the years 1813, 1814 and 1815, without reporting	6,125	0	0
9th.	On account of Auction Duty for 1815, the latter half of 1819, 1820, 1821, and 1822, being four years and a half	5,400	0	0

Quebec, 29th January, 1823.

(Signed) J. BABY,
Arbitrator for Upper Canada.

Certified to be a true Copy.
Signed, Jno. Macaulay, Secy.

A true Copy, J. Baby.

A. No. 1.

Remarks upon the Abstracts of Claims of the Province of Upper Canada, upon the Province of Lower Canada, stated by the Honorable James Baby, Quebec, 29th January, 1823:

1st. From the explanation given of this Claim it appears that an opinion prevails in Upper Canada that no part of the Duties levied under the Act of 45th Geo 3rd, cap. 13, was ever paid to that Province. But on reference to the Public Accounts, in the Journals of the Assembly of Lower Canada, it will be seen that the regular proportion of duties on the Imports under this Act has been paid annually to Upper Canada, from 25th March, 1805 (the date of the Act, continued by 51st and 52nd Geo. 3rd) to 25th March, 1814, when it expired, and was again revived on the 25th March, 1815, under the Title of 55 Geo. 3rd, cap. 3, the proportion of which Upper Canada continued to receive founded on calculations from the Returns made by the Inspector at Coteau du Lac up to the 31st December, 1815, from which time the proportion was regulated by the Agreements of 31st May and 7th June, 1817, up to 1st July, 1819.

2nd and 3rd. These two sums have been reported upon by a Committee of the Executive Council of Lower Canada and paid accordingly. (See Extract of the Report.)

4th. This claim appears to be founded upon the Principle that the effect of an Act which has expired does not cease with respect to the Imports into Upper Canada until some time after the date of its expiration in the Lower Province. But this Principle ought not to be admitted, because if Upper Canada derives benefit from Duties on goods passing into that Province, from the day an Act is passed (for instance, 45th Geo. 3rd, 25th March) such Duties must have been allowed upon some articles which had not paid Duty in Lower Canada, and it is admitted accordingly in the reasoning upon this claim, that "the Articles taxed cannot come fairly into market before June." Therefore Upper Canada having received duties from the commencement of each Act cannot justly claim anything beyond the duration thereof.

5th. It is admitted that Upper Canada is entitled to a proportion of Duties on Merchandise from 1st October, 1813, to 25th April, 1814, during which period no Account was kept at Coteau du Lac, and the following statement shows the amount of Duties received in Lower Canada during that period:

	£	s.	d.
At Quebec, in the quarter ending 5th June, 1814:			
On Merchandise valued at £46,126 12s. 10d., 5 per cent.	2,306	6	8¾
" " " £136,116 7s. 5d., 2½ per cent.	3,406	16	9
	5,713	3	5¾
At St. John's:			
Quarter to 5th January, 1814, 2½ per cent. 19 4 6			
" 5th April, " " 74 1 0			
	93	5	6
	5,806	8	11¾

And this is the only sum upon which the claim of Upper Canada is admitted.

6th. The remark upon No. 4 applies to this.

7th. It is not denied that a considerable quantity of Merchandise may have been purchased by the Commissariat for the service of the different Public Departments, and that some portion thereof may have been sent into Upper Canada without being noticed at Coteau du Lac. But it appears that notice had been taken in repeated instances, and that duties were paid to Upper Canada upon articles passing in the King's batteaux. There is, however, so little information to be obtained upon this subject from those offices which could alone be supposed likely to afford it, that it seems impossible at present to come to any determination upon this claim.

8th. On Merchandise not reported in 1813, 1814, and 1815, there is nothing before the Arbitrators that can enable them to form any calculation or even estimation on this head; therefore the same conclusion applies as on the foregoing article.

9th. It is admitted that under the Act of the Imperial Parliament 3rd Geo. 4, cap. 119, Upper Canada has a right to claim one-fifth of all Duties levied in Lower Canada upon Goods, Wares, Merchandise, etc., imported by sea and sold at Auction since the 1st of July, 1819; it will, however, be necessary in calculating upon the amount of sales to distinguish between those goods which have been imported by sea and other articles imported by land or manufactured in this Province, the Duties upon which Upper Canada has no claim to.

It is very doubtful whether Upper Canada can now claim any Duties on Auctions prior to 1st July, 1819, because the Agreement entered into on the 31st May, 1817, distinctly relinquished those Duties, and as that Province never had received any portion of them, the express relinquishment thereof must be considered as barring any claim prior to the date at which that Agreement terminated. In admitting part of the Claim as above, a further distinction should at the same time be noticed, betwixt the Duties levied on Auctions at Montreal and Quebec; those Duties being paid at Montreal by the Purchaser, but at Quebec by the Seller. In the former case the Goods purchased are undoubtedly charged with the Duty, but

in the latter the Duty is a Tax upon the Importers of Quebec exclusively, and Lower Canada may consequently claim to retain the whole of the Duty levied at that place.

Quebec, 8th February, 1823.

(Signed) J. HALE,
Arbitrator Lower Canada.

Extract of a Report of a Committee of the Executive Council, Quebec, 10th March, 1819.

	£	s.	d.
The amount of duties on such Goods as were subject to duty on importation into Lower Canada, under Act 53rd, Geo. 3rd, cap. 1, and passed Coteau du Lac from 13th February to 31st December, 1813, on the first of which days the Act came into operation according to the existing agreement, exclusive of duties on Port Wine, was . . .	5,249	4	9
The amount of Port Wine under like circumstances was 31,550 gallons at one shilling per gallon, £1,577 10s. 0d., and as the quantity which passed Coteau du Lac is not reported, the Committee recommend that one fifth of the whole, as the proportion due to Upper Canada, be admitted	315	10	0
	£5,564	14	9
The proportion of the expenses of collection is taken at 3 per cent.	166	18	9
	£5,397	16	0

Certified to be a True Extract, (Signed) J. Hale.
A True Copy, J. Baby.

A. No. 2.

The Arbitrator on the part of Upper Canada had the honor of duly receiving this communication made by the Arbitrator for Lower Canada on the 8th February last relative to the Abstract of Claims for Arrearages of Revenue preferred by the former Province.

As respects the first claim, viz., for Arrearages of Duties from the year 1805 to 1812, inclusive, the Arbitrator for Upper Canada finds on examining the Papers to which he has had access in this city that Upper Canada did actually receive her proper proportion of the Duties levied on Imports under the Act of 45 Geo. 3rd, within the periods above mentioned. The doubts excited on this head in Upper Canada by the want of due information are satisfactorily removed by the Journals of the House of Lower Canada, which show that the Payments made to the Upper Province under the Act in question have been regulated by the Returns of the Joint Inspector at Coteau du Lac.

Passing over the second and third Claims, to the Principle that governed the settlement of which in the year 1819, by a Committee of the Executive Council of Lower Canada it is not wished to object, and relinquishing the fourth Claim for the effect of Expiring Laws, the Arbitrator for Upper Canada now begs leave to state more fully the Fifth Claim, amounting to £7,544 18s. 10d., and being for Duties on Merchandise between the First day of October, 1813, and 31st December, 1814, no account of which was taken at Coteau du Lac until 25th April, 1814.

By the Returns of the Inspector at Coteau du Lac for the 25th April, 1814, when the Law was transmitted to him, to the 31st December, a period of 250 Days, there were imported into Upper Canada goods bearing an advalorem duty to the value of £189,322 0s. 9d. Taking this for a Basis, it would give from 1st October, 1813, when the Law passed, to the 25th April, 1814, when it was announced to the Inspector, a period of 207 days, £156,758 for the value of the goods, which added to £189,322 makes £346,080 paying advalorem duty, but the duty was of two kinds—five per cent. on goods belonging to foreign importers, and 2½ per cent. on importations by residents in Lower Canada. Now, from inspecting the Imports at Quebec for 1814, the goods bearing a duty of five per cent. advalorem amounted in value to £622,409 12s. 2d., and of 2½ per cent. to £1,242,033 15s. 6¼d., the goods at five per cent. being to the goods at 2½ per cent., within a very small fraction, as one to two. By taking this ratio we have:

£115,360 at 5 per cent.	£	5,768	0	0
£230,720 at 2½ per cent.		5,768	0	0
Sterling	£	11,536	0	0 or
Currency	£	12,817	15	6
Less the sum accounted for to Upper Canada under this law		5,272	16	8
Amount of this claim		£7,544	18	10

The Arbitrator on the part of Lower Canada in commenting on this head has merely admitted our right to a proportion of £5,806 8s. 11¾d. being the amount of duties collected on importations at Quebec and St. Johns, from the period when the claim commences to the 5th June, 1814. It is, however, conceived that the amount due Upper Canada under this head of claims ought not to be regulated by the receipt of duties within the period at Quebec, because it has been the practice to allow her drawbacks in conformity to the agreements grounded on the returns of the Joint Inspector at Coteau du Lac from the date of the Acts imposing duties on imports, and without reference to the immediate effect of such Acts at Quebec. If by the adoption of this principle a loss may have been occasionally sustained in the first instance by Lower Canada, any such injurious effect was amply compensated when the law expired, for it cannot be disputed that if drawbacks are now demanded for goods bought for consumption in Upper Canada, which had not paid the ad valorem duties at Quebec during the period referred to in this claim; large quantities of goods imported into Lower Canada during the existence of the law imposing the five per cent. ad valorem duty were purchased and carried into Upper Canada after the law had ceased to be in force, and after the Government of that Province could no longer receive a proportion of the duties thus paid by the consumers in Upper Canada. The Arbitrator for Upper Canada in contending for the justice of this claim is yet ready to hear any suggestion which the Arbitrator for Lower Canada may have to communicate relative to the period when the Act now referred to should be considered to have taken effect. It is of course to be borne in mind that in the event of the first day of May, 1814, or any other day being fixed on subsequent to the time of its enactment, for the commencement of

the law, a proportional allowance should be made for its effect, after the date of its expiration.

Quebec, 22nd July, 1823. (Signed) J. BABY, Arbitrator for Upper Canada.

Certified to be a true copy.

(Signed) JNO. MACAULAY, Secy.

A true copy.

J. BABY.

A. No. 3.

The Arbitrator on the part of Lower Canada has had the honor to receive the paper dated 22nd instant, setting forth anew the Fifth Claim of Upper Canada, amounting to £7,544 18s. 10d., being for arrears of duties levied in Lower Canada under the Act of 53rd Geo. 3rd, Cap. 11, upon merchandise between 1st October, 1813, and 31st December, 1814, no account of which was taken at Coteau du Lac until 25th April, 1814.

The Arbitrator of Upper Canada having relinquished the Fourth Claim stated on the 29th January last, which was resisted as founded upon the principle that the force of an Act which had expired did not cease at the same time in both Provinces; the principle of the 5th Claim as now stated is not objected to, but the basis proposed for calculation appears liable to inaccuracy, from the quantity of goods passing into Upper Canada being probably more considerable at one season of the year than another. It is therefore proposed to allow one fifth of the duties levied in Lower Canada under the Act in question, a proportion sanctioned by both Provinces in the year 1817, and adopted by the Imperial Parliament in 1822.

	£	s.	d.
The whole amount of duties levied in Lower Canada under the above Act, from 1st October, 1813, to 5th January, 1815, was.....	62,468	10	9
One-fifth	12,493	14	2
Amount paid	5,272	16	8
Balance	7,220	17	6

Quebec, 30th July, 1823. (Signed) J. HALE,
Arbitrator on the part of Lower Canada.

A true copy.

J. BABY.

A. No. 4.

The Arbitrator for Upper Canada has the honor to submit the following claims for examination by the Arbitrator on the part of Lower Canada.

Claim sixth. To drawbacks of duties on goods passing Coteau du Lac from 1st January, 1815, to 25th March, 1815, when the law expired, at 5 per cent. amounting to £718 9s.

The whole amount of goods which passed the Coteau du Lac in the year 1815 bearing an ad valorem duty was £386,847 3s. 5d. currency, which gives for 84 days . . . £89,027, as the proportion which passed into Upper Canada between the 1st of January and 25th March. The duties on this sum being calculated according to the ratio of 1 to 2, goods valued at £29,675 must pay 5 per cent. ad valorem duty in Lower Canada. From this sum deduct £937 0s. 11d. on which five per cent. has been allowed, and there remains £28,738 on which there will be a

duty at five per cent. amounting to £1,436 18s. Deduct 2½ per cent. allowed on that sum, £718 9s., and there remains £718 9s. due Upper Canada, and to which she is fairly entitled.

This claim is founded on the opinion that the returns made by the Inspector at Coteau du Lac did not, and could not, particularly distinguish goods bearing a duty of 5 per cent. ad valorem from those bearing only 2½. It is indeed very evident from the extraordinary disproportion between the goods entered at five and those at 2½ per cent. when compared with the imports at Quebec during the preceding summer that the returns of the Inspector were in this respect grossly inaccurate. In order to form an estimate of the injury sustained by Upper Canada under this Head of Revenue, the ratio which the 5 per cent. importation at Quebec bore to the 2½ per cent. importation is taken as the fairest rule, especially since the articles purchased for consumption in Upper Canada during the winter of 1815, must have been imported at Quebec in the course of the preceding summer, subject to the ad valorem duties. From the very nature of those duties it was nearly impossible that a return of goods passing into Upper Canada could rightly distinguish between the articles which had, and those which had not paid the five per cent. duty at Quebec, for they might have been sold at auction, and have frequently passed through so many hands that the seller, much less the Upper Canada purchaser, would have been at a loss how to deliver the Inspector a correct statement.

It is, therefore, hoped that the Arbitrator for Lower Canada will admit the equity of this claim founded as it is on the only mode of calculation which can approach the fact. It can scarcely be deemed reasonable that Upper Canada, confiding as she did in the Legislature of the sister Province, should suffer so severely in revenue from the impracticability of reading the returns necessary under the law, imposing the ad valorem duty—a law, moreover, which was truly exceptionable in its provisions, since it taxed all importations by persons not resident in Lower Canada at a double rate without distinguishing between the merchant of Upper Canada and the mere adventurer from Britain.

This claim would, on the principles of the fourth, have been nearly doubled, but as that principle has been relinquished, by stipulation, the period here embraced does not extend beyond the actual duration of the five per cent. duties.

Certified to be a true copy.
(Signed) JNO. MACAULAY, Secy.

Quebec, 31st July, 1823.
(Signed) J. BABY,
Arbitrator for Upper Canada.

A true copy.
J. BABY.

A. No. 5.

Claim Seventh for drawbacks of duties on merchandise purchased in Lower Canada, by the Commissary General and other public officers and sent to Upper Canada, for the use of the army and navy, the naval yards, the Quarter Master Generals, Royal Engineers, and Barrack Departments, etc., during the years 1813, 1814, 1815 and 1816, of which no account has been taken at Coteau du Lac.

It has been generally supposed in Upper Canada that the value of purchases bearing ad valorem duties for the service of Government within that Province from 1st October, 1813, to 31st December, 1816, must have exceeded £350,000, part of which paid five per cent. duty ad valorem, and part 2½ on being imported at Quebec. It has been already found that the duty of five per cent. bore to the duty of 2½ per cent. as 1 to 2, but as the law imposing the former duty expired

on the 25th March, 1815, and the period for the claim extends to 31st December, 1816, the amount which paid a proportion of the five per cent. duty may be estimated at £275,000, which gives

	£	s.	d.
£95,000 at 5 per cent.	4,750	0	0
£180,000 at 2½ per cent.	4,750	0	0
	9,500	0	0
Add to this £75,000 paying only 2½ per cent. duty..	1,875	0	0
	11,375	0	0

Besides the goods paying ad valorem duties the articles subject to specific duties purchased by Government and forwarded to Upper Canada, from the commencement of the American War to the year 1817, if reported at the Coteau, would have more than doubled the foregoing sum. The amount of the claim may therefore at a moderate calculation be set down at £20,000.

Every endeavor to obtain particular proof in support of this claim has been hitherto fruitless, for the late Commissary General declared that no distinct entry was made or account kept of articles purchased in Lower Canada expressly for the Upper Province.

That large purchases were made in Lower Canada for the use of Government in Upper Canada, and that the greater part of such purchases were not entered at Coteau du Lac, are facts quite notorious. Reference may be had in support of this assertion to the correspondence of Mr. Wilson, the late Inspector at Coteau du Lac, which shows that very large quantities of dutiable articles were forwarded into Upper Canada in Commissariat Batteaux without being reported, as the agreements between the Provinces required.

Certified to be a true copy. Quebec, 31st July, 1823.

(Signed) Jno. Macaulay, Secy. (Signed) J. BABY,
A true copy. Arbitrator for Upper Canada.
J. Baby.

A. No. 6.

Claim Eighth, for duties on merchandise passing Coteau du Lac in the years 1813, 1814, and 1815, without reporting, £7,825 2s.

The amount paid the Receiver General of Upper Canada as the proportion of Provincial duties levied in Lower Canada for 1813, 1814, and 1815, including arrears paid for 1813 in the year 1819, is £78,251 1s. 4¾d. The letters accompanying this statement shew that one sleigh or carriage out of every five passed the Coteau du Lac without reporting. Therefore as 5:1::£78,251::£15,650 4s. 0d. But as the proportion of boats which did not report could not have been so great as that of the winter conveyances (though many did, undoubtedly, neglect to report—particularly the Durham boats, which frequently avail themselves of a brisk easterly wind to sail up the rapids at the Coteau du Lac). One half the above sum is deducted and the claim is thus stated at £7,825 2s. 0d.

This cannot be regarded but as a very low estimate, when reference is had to the letters, which among other things shew that a whole district, and that one of the most populous in Upper Canada, evaded the reports.

Quebec, 31st July, 1823.

(Signed) J. BABY,
Arbitrator for Upper Canada.

Certified to be a true copy.
(Signed) Jno. Macaulay, Secy.
A true copy, J. Baby.

A. No. 7.

In answer to the Sixth Claim of Upper Canada, stated by the Arbitrator for that Province, in a paper dated 31st July, 1823, the undersigned Arbitrator for Lower Canada, has the honor to state, that Upper Canada did receive a proportion of the "ad valorem" duties from 1st January to 25th March, 1815, according to the returns made by the inspector at Coteau du Lac, and the existing agreement, namely, 2½ per cent. on Sterling, £52,197 8s. 0d. and 5 per cent. on £843 6s. 10d., and those returns having been made officially, the undersigned does not feel himself called on to question the accuracy of them.

The mode of calculating by any given number of days has already been objected to in the answer to the preceding claim, and as a proof how much it is liable to error, the Claim No. 6 now computes that goods to the amount of £89,027 bearing the duties before mentioned passed Coteau du Lac between 1st January and 25th March, 1815. Whereas by the returns the amount appears to have been only £58,933 currency. The small proportion of goods paying five per cent. which passed into Upper Canada is to be accounted for by the small number of persons residing in Upper Canada who import their own goods, most of them receiving them either from or through the houses of the great importers at Montreal, and of course paying 2½ per cent. only. It is, moreover, not probable that during the period in question any goods imported by merchants residing in Upper Canada could have been passing upwards, because no importation could have taken place at Quebec later than the month of November, and the goods would have been forwarded immediately while the navigation was open.

Quebec, 1st August, 1823.

(Signed) J. HALE,
Arbitrator for Lower Canada.

A true copy, J. Baby.

A. No. 8.

The undersigned in acknowledging to papers dated 30th July and 1st instant, transmitted by the Arbitrator for Lower Canada, begs leave to state with respect to the proposal contained in the former that the allowance of one fifth of the ad valorem duties levied in Lower Canada cannot be accepted in full satisfaction of the claim of Upper Canada as exhibited in the communication dated 22nd ultimo.

Whatever weight may justly be attached to the precedents afforded by the Provisional Agreement of 1817, and the British Act of Parliament of 1822, it is certain that one fifth of the duties collected within eight, or at the most nine, months in Lower Canada cannot compensate the loss of revenue sustained by the Sister Province within a period of fifteen months.

It is not denied that the quantity of goods carried into Upper Canada varies with the season, and that the value therefore of those articles which actually passed the Coteau du Lac before the inspector was instructed to demand reports of goods liable to ad valorem duties cannot now be ascertained in any way with perfect accuracy. It is nevertheless submitted, that as the mode of calculating adopted in this case by the undersigned affords the most eligible means of approximation to the truth, and as the impossibility of obtaining more complete proof originated in the omission on the part of Lower Canada to notify the passing of the Act in due time to the officers at Coteau du Lac, this claim ought to be favorably considered and allowed in its full extent.

On the reply to the sixth claim, the undersigned has to observe that if the returns from the inspector, to which he has no access, distinctly specify the value of merchandize passing the Coteau du Lac from the 1st January to the 25th March, 1815, and if that value is found to be £58,933, instead of £89,027, the claim will of course be proportionably diminished. It is very satisfactory that the precise value of the goods reported can, in this case, be ascertained. It is, however, conceived that though in time of peace, when as at present the trade of a country resumes its ordinary channels, the imports of one year may be calculated with tolerable exactness from the known imports of another immediately following or preceding; no similar criterion is afforded to the judgment in time of war, because the supplies required by a country situated as Upper Canada was at the period referred to were determined by adventitious circumstances unconnected with the ordinary consumption of the inhabitants.

It is hoped that the Arbitrator on the part of Lower Canada will not be disposed to consider the official returns of the joint inspector as a barrier to this or any future claim, while it is shewn by the correspondence even of that officer himself and by other circumstances that those returns were very defective.

The undersigned is well aware that large quantities of goods imported from Great Britain by merchants of Upper Canada in 1814 did not remain in the Lower Province until the winter of 1815, though a few probably did as it can be proved that several packages did remain during the preceding year. The claim rests chiefly on purchases of goods imported by persons residing in neither Province. It is undoubtedly a misapprehension to conceive that during the war the great resident importers of Montreal or Quebec furnished all the supplies of merchandise required for the Upper Province. In some cases it is true, individuals depended entirely on their old correspondents in Lower Canada, and were from habit averse to form new connexions in trade, or to depart from their established system. Yet such was the influx of money into Upper Canada during the years 1813, 1814 and 1815, caused in a way which it is unnecessary to explain, that vast numbers of people formerly engaged in other pursuits turned their attention to traffick, and with the money earned by their previous industry purchased in Lower Canada assortments of goods principally from adventurers, who being anxious to close their sales and return to Europe for fresh supplies, generally held out greater inducement to the cash purchaser than the established importer. Goods were also frequently bought by such persons at auction and it was a fact not of rare occurrence that adventures were made from Lower Canada for the supply of the army at different points on the upper frontier, in which cases there is reason to believe that the stock was not often obtained from the regular importer. These assertions might be substantiated by the evidence of many individuals, who were concerned in such transactions during the war, but the undersigned is inclined to doubt

whether the amount of issue is sufficiently important to warrant the delay which the production of the testimony would occasion.

Quebec, 2nd August, 1823.

(Signed) J. BABY,
Arbitrator for Upper Canada.

A true copy.
Certified. (Signed) Jno. Macaulay, Secy.
A true copy, J. Baby.

A. No. 9.

The Seventh and Eighth Claims of Upper Canada stated more fully by the Arbitrator for that Province in separate papers dated 31st July, 1823, have not been supported by any material information since they were generally remarked upon by the Arbitrator for Lower Canada, in his paper dated 8th February, 1823; and the Arbitrator for the Upper Province candidly acknowledges, that every endeavor to obtain "particular proof in support of this claim has hitherto been fruitless." No. 7 states in detail, the calculations which had brought out the sums formerly claimed, but in other respects throws no light upon the subject. It has not been denied that some goods bearing a duty ad valorem may have been purchased by the Commissariat Department, and transported to Upper Canada, but in must not be conceded as a "notorious fact, that the greater part of such purchases were not entered at Coteau du Lac," neither has the Arbitrator for Lower Canada any knowledge of the correspondence of Mr. Wilson referred to as proof, "that very large quantities of dutiable articles were forwarded into Upper Canada without being reported." But supposing that this had been the case; the obligation to report was required under severe penalties, any infraction of the law in this respect consequently became an Act of Contraband Trade, over which Lower Canada had no control, and therefore ought not to be responsible for it.

The correspondence of Mr. Wilson, late inspector at Coteau du Lac, which has been published leaves no room to imagine that he neglected the means in his power of obtaining the information his duty called for, and from the date of his letter of 3rd December, 1814, his returns of dutiable articles passing on Government Account were regularly stated monthly. In these returns rum is invariably an article reported, and Upper Canada of course received the duty upon it, and as it is well known that much if not most of the rum required for the public service was imported by Government, there is perhaps quite as much reason to believe that Upper Canada received a proportion of duties upon that article which never had been paid upon the importation at Quebec, as that any loss had been sustained by that Province by the neglect or evasion of regular entries at Coteau du Lac. In the returns above mentioned, no entry appears of dry goods bearing an ad valorem duty, and there is no reason to suppose that it was an omission either wilful or accidental. Indeed it is much to be doubted whether any considerable quantity of goods bearing that duty ever was purchased in Lower Canada for the public service. The most expensive goods certainly were not, the clothing for the army and navy, bedding, arms, ammunition and naval stores being imported by Government from England, and of course did not pay duty.

The Claim No. 8, now stated at a sum of £7,825 2s. 0d. is equally defective with No. 7 in affording any information worthy of notice in support of its merits, and the "letters" which are referred to as evidence appear to be reduced to a

single letter from an obscure individual, who states that during a period of nine months he "thinks one out of five sleighs and trains did not report themselves." There are indeed two other letters from well known and respectable merchants which express a strong belief that considerable quantities of dutiable articles had passed into Upper Canada without reporting, and one of them relates a single instance of a loaded sleigh having been stopped by a sentinel on its way to the Port of Entry. These circumstances, however, are not of sufficient strength to support claims of such magnitude as those now made; and beyond these nothing appears but general supposition and assertion. The undersigned, therefore, is under the necessity of representing, that with respect to the Seventh and Eighth Claims he should not feel himself justified in giving any assent, and consequently the intervention of the third Arbitrator seems to be unavoidable.

Quebec, 2nd August, 1823.

(Signed) J. HALE,
Arbitrator for Lower Canada.

A true copy, J. Baby.

A. No. 10.

The undersigned Arbitrator for Lower Canada has the honor to acknowledge the receipt of a paper dated 2nd instant, resuming the discussion of the fifth and sixth claims of Upper Canada. On the first of these claims, the difference between the amount claimed and the sum proposed to be allowed being little more than three hundred pounds, the undersigned would have felt disposed to let this question rest upon its own merits without further argument, but when the Arbitrator for Upper Canada represents that "one fifth of the duties collected within eight or to the utmost nine months in Lower Canada cannot compensate the loss of revenue sustained by the Sister Province within a period of fifteen months," the undersigned cannot help imagining that some misunderstanding exists; for it was his intention to allow to Upper Canada one fifth of the duties collected between 1st October, 1813, and 5th January, 1815, and so he finds it stated in the copy of his paper dated 30th July, last.

To the remark upon his answer to the sixth claim the undersigned replies, that the return of the inspector at Coteau du Lac, upon which his statement was founded, shall immediately be laid before the arbitrator for Upper Canada, and this should have been done sooner had not the undersigned concluded that the Arbitrator for Upper Canada would have had access to the counterparts of all those returns, which of course were in existence in Upper Canada, as is provided for by the agreements for the time being. The undersigned does feel himself bound to consider the returns of that officer as barring every claim that they do not bear witness to unless some distinct and specific proof be produced that they are defective, and although one deficiency in those returns has been readily admitted, in the instance of the fifth claim, the undersigned begs leave to offer some qualification of the remark, that "the impossibility of obtaining more complete proof originated in the omission on the part of Lower Canada to notify the passing of the Act in due time to the officer at the Coteau du Lac." The Act in question (53rd Geo. 3rd, Cap. 11) has been reserved for the signification of His Majesty's pleasure, and it was notified by a proclamation, dated 1st October, 1813, that it had received the Royal Assent, a notification which the undersigned conceives to be as formal as any public officer can require, and the most proper that could be given to one who was the joint servant of two separate Provinces. Some further new

matter brought forward in the paper now under consideration is the assertion that vast numbers of people who had acquired money during the war purchased goods in Lower Canada instead of receiving them through the usual channels.

This it is unnecessary to contest, because what does it prove? Is it to be assumed or believed that an inhabitant of Upper Canada who might have purchased goods from an adventurer at Quebec or Montreal would run the risque of incurring the penalty for neglecting to report the particulars of his purchase at the Port of Entry into Upper Canada, and defraud the revenue of his own Province, without any benefit to himself? He had none of the tempting inducements which contraband trade between separate states holds out, for he had no duties to pay. In short, the more this question is investigated, the more improbable and incredible does it appear, that any irregular importation of consequence took place, and the undersigned is compelled, in justice to Lower Canada, to dissent from all those calculations and computations which rest upon no more solid foundations.

Quebec, 4th August, 1823.

(Signed) J. HALE,
Arbitrator for Lower Canada.

A true copy, J. Baby.

A. No. 11.

The undersigned Arbitrator for Upper Canada has the honor to state for examination by the Arbitrator for Lower Canada the Ninth Claim as follows:

For Auction Duties from the year 1805 to December, 1816, inclusive, being twelve years, £8,407 6s. 10d.

The duties on goods sold at auction in Lower Canada levied under the 45th Geo. 3rd, cap. 13, 51st Geo. 3rd, cap. 1, and 55th Geo. 3rd, cap. 3, from the year 1805 to 31st December, 1816, amounted to £42,036 14s. 2d., of which one fifth would be £8,407 6s. 10d.

The foregoing claim as stated in the abstract originally embraced the latter half of the years 1819, 1820, 1821 and 1822, for which period the arbitrator on behalf of Lower Canada admitted that Upper Canada was entitled, under the British Act of 1822, to receive a proportion of one fifth of all duties on sales made by Auction of goods imported by sea into Lower Canada. This part of the claim has, however, been withdrawn, because it does not fall within the scope of any Provisional Agreement, and is therefore to be demanded by the Executive Government of Upper Canada, instead of becoming a subject for discussion under the present arbitration. The claim has also been extended to the year 1805, including ten years which were not noticed from causes which will hereafter appear.

The Arbitrator for Lower Canada in his remarks dated 8th February last, considers it " doubtful whether Upper Canada can now claim any duties on auctions prior to 1st July, 1819, because the agreement entered into on 31st May, 1817. distinctly relinquished those duties, and as that Province never had received any portion of them, the express relinquishment thereof must be considered as barring any claim prior to the date at which that agreement terminated."

In reply to this objection it is to be observed that Upper Canada had relied with the fullest confidence on receiving from the Government of Lower Canada her just proportion of all duties levied on goods by the Legislature of that Province, and was not even aware of the existence of the Auction Duty prior to the year 1815, when the original law of 1805 was re-enacted. Owing to the want of the requisite knowledge on this point, the claim therefore originally commenced with

the year 1815, and it was not until the Laws and the Journals of the House of Assembly of Lower Canada had been submitted to the inspection of the undersigned, that he became informed of the previous exaction of an auction duty, for the long period of ten years. The commissioners for Upper Canada did indeed relinquish the auction duty by the stipulation contained in the agreement dated 31st May, 1817, to which sacrifice they were induced to consent, by a desire to terminate the discussions respecting revenue in an amicable manner. This relinquishment, however, it is to be particularly remarked, was only of a corresponding duration with the agreement itself, and neither had an anterior nor a prospective effect beyond the periods referred to by the positive terms of the agreement.

The arrearages due on agreement of a previous date do not appear from the agreement dated 31st May to have even come under consideration on that occasion. They are, however, alluded to in the subsequent stipulations dated on 7th June, 1817, when as it would appear from the documents signed at Montreal by the Commissioners for Upper Canada on 9th July, 1821, the Commissioners for Lower Canada "decline entering into the investigation of any claims for arrearages previous to that year (viz., 1817), giving for a reason that the Act by which they were appointed did not give them authority so to do, and that their powers were only prospective." The Commissioners for Lower Canada also declare in the paper dated 11th July, 1821, "that they conceive every agreement once ratified must be considered as final for the period which it embraces, and cannot again be entered upon by any future Commissioners without special instructions to that effect," with which it seems they were not furnished. These references prove that there was no relinquishment of arrearages of duties either expressed or implied in the agreements of 1817. But a strong conformation of the claim here advanced is to be found in the agreement of June, 1817, wherein it is expressly declared at a period immediately subsequent to the stipulation respecting the Auction Duties which were relinquished for two years and a half, that the sum of £1,585 due to Upper Canada from the 1st January, 1816, to the 1st January, 1817, in addition to the sum of Twenty Thousand Pounds already paid, should be without prejudice to any claims which Upper Canada might have for any arrearages due previous to the year 1816. The undersigned, therefore, does not perceive with what propriety a relinquishment of Auction Duties for three years agreed to on a particular occasion and for particular reasons by persons having no power to settle claims of a previous date can be regarded as barring all right to arrearages claimed for a period antecedent to the date of that relinquishment.

That Upper Canada is entitled to a just proportion of the Auction Duty is manifest on referring to the first and second articles of the ratified agreement entered into at Montreal on 28th January, 1797, by virtue of which Upper Canada forbearing to impose duties on goods, wares or merchandise imported into Lower Canada, and on all articles the growth, produce or manufacture of Lower Canada passing into Upper Canada, allows and admits the Legislature of Lower Canada to impose and levy such reasonable duties on such goods, wares and merchandise, etc., as they may judge expedient for the purpose of raising a revenue within the Province of Lower Canada, on condition that the Legislature of the latter Province shall allow a just proportion of the duties imposed by them to be paid to Upper Canada.

This just proportion was to be regulated according to the consumption by a mode prescribed in the subsequent articles of the agreement. It was naturally imagined that the important power of taxation thus conceded to the Legislature of Lower Canada would have been exercised with due circumspection and regard for

the rights and interests of the Sister Province, and that no duties would have been levied on goods, wares, or merchandise, without allowing Upper Canada her just proportion estimated according to her consumption, and to the fair understanding and construction of the agreement. Nevertheless by the Act of the Parliament of Lower Canada, 45th Geo. 3rd, specific duties were imposed on certain enumerated articles, and a general duty on sales at auction, both for purposes purely local; and though the revenue thus created was professedly designed for one and the same object and was levied on goods, wares and merchandise, the joint inspector at the Coteau du Lac was required in his returns to state merely the articles subject to specific duties, and not those also which had been subject to the Auction Duty. Thus while many articles of merchandise which were purchased at auction annually passed into Upper Canada, the Government of that Province did not receive its just proportion of the duties levied on those articles. The inhabitants of Upper Canada having paid duties on goods sold at auction and purchased by them, their title to a just proportion, therefore, is clear. It is founded on the plain meaning of the Agreement of 1797, and ought not to be defeated by any failure on the part of Lower Canada to furnish the inspector at the Coteau du Lac with the information without which that proportion could not be regularly obtained.

With regard to the distinction taken by the Arbitrator for Lower Canada between the modes of collecting the Auction Duty at Quebec and Montreal, it is conceived that the Right of Upper Canada is not thereby affected. It is not considered a matter of any moment, by what individual or in what way the duty is paid to the Receiver General of Lower Canada; for whether it be taken from the seller or the purchaser the article sold is naturally charged with it, and it falls ultimately on the consumer. Instances may indeed be cited of occasional sacrifices made at an auction sale, yet it more frequently happens that the seller desires some profit from the transaction, otherwise auction sales would neither be so extensive nor of such frequent occurrence as they now are. It is a generally received maxim, that every charge which enhances to the proprietor the cost of an article of merchandise is transferred with it to the purchaser and consumer, and a general and established rule is not to be controverted by a particular exception.

The amount of this claim is set down at £8,407 6s. 10d., but is of course liable to any reduction or augmentation which circumstances may justify.

Quebec, 4th August, 1823.

(Signed) J. BABY,
Arbitrator for Upper Canada.

Certified to be a true Copy.
(Signed) John Macaulay, Secretary.
A True Copy, J. Baby.

A. No. 12.

The undersigned Arbitrator for Lower Canada has to acknowledge the receipt of the ninth claim, brought forward by Upper Canada for a proportion of duties upon goods sold at auction from the year 1805 to 1816, inclusive, amounting to £8,407 6s. 10d.

The undersigned does not think it necessary to enter at large into a further discussion of this claim, because he still views the subject in the same light as on a former occasion when he gave his opinion, "that the express relinquishment of Auction Duties by the Agreement dated 31st May, 1817, must be considered as barring any claim prior to the date at which that agreement terminated." The

concluding passage of that agreement, which after settling the sum due to Upper Canada declares: "That the same shall be without prejudice to any claims which Upper Canada may have for any arrearages due previous to the year 1816," must not be considered as bearing upon the claim now stated, because the term "arrearages" can only apply to the settlement of known and acknowledged dues, and the Auction Duty had never been considered as a part of the revenue which Upper Canada was entitled to share.

The Arbitrator for Upper Canada endeavors to account for the silence of that Province, under the privation of those duties during the long period of ten years, by saying that Upper Canada was not aware of the existence of the Auction duty prior to the year 1815. The statement of this circumstance may seem to imply that concealment has been practised by Lower Canada, and the same idea appears to be conveyed by the argument that the "plain meaning of the agreement of 1797 ought not to be defeated by any failure on the part of Lower Canada to furnish the Inspector at Coteau du Lac with the information without which that proportion could not be regularly obtained." The undersigned therefore thinks it proper to point out that by the agreement existing from 1797 to 1817, it was provided that Upper Canada should be annually furnished with accounts of all duties then existing or afterwards to be imposed, and if those accounts were not so furnished, upon which point the undersigned is not informed, Upper Canada might have called for them, being the party most interested in the information they contained. But no failure in this respect could be of the least consequence. The very nature of the Duties rendered it impossible for any account of them to be take at Coteau du Lac, under the system so long acted upon, and it is remarkable that, at the same moment when that system was abandoned, and a principle adopted which afforded the means of ascertaining with precision any proportion that might be decided upon, the duties in question were specifically relinquished. Such a coincidence amounts to almost an admission that those duties never were in contemplation as part of the Revenue of Upper Canada, and strongly confirms the undersigned in his opinion that no retrospect can be assented to.

Quebec, 6th August, 1823.

(Signed) J. HALE,
Arbitrator for Lower Canada.

A True Copy, J. Baby.

A. No. 13.

The undersigned has had the honor of receiving from the Arbitrator for Lower Canada the several papers dated the 2nd, 4th, and 6th instant.

He has to remark that, in submitting the seventh claim, he felt himself called on to state distinctly the impressions which prevailed in Upper Canada relative to the quantity of dutiable articles imported into that Province for military and other public purposes, without being reported. The injury thereby done to the Revenue of Upper Canada may possibly be overrated, and the undersigned being well aware, as was signified in producing the claim, that it did not rest on such particular proof as it was desirable to offer, never indulged in any expectation of recovering all which is considered to be due from Lower Canada on this head.

The undersigned still thinks that the published correspondence of Mr. Wilson, to which he formerly referred, bears out the assertion that merchandise of considerable value passed the Coteau du Lac unreported in Government boats, and this opinion is strengthened by the circumstance alluded to in communication from

the Arbitrator for Lower Canada, viz., that no entries of articles subject to ad valorem duties are contained in the returns of those Government boats, the cargoes of which were actually reported. This omission was probably, as the Arbitrator for Lower Canada observes, "neither wilful nor accidental," but arose from causes which are partly explained by Deputy Commissary General Clark, in the published letter to Mr. Wilson.

On the eighth claim the Arbitrator for Upper Canada has to say that though the letters adduced in its support do not expressly declare the precise amount of unreported goods, the property of individuals carried past the Coteau du Lac in 1813, 1814, and 1815, they at least show that large, though indefinite, quantities were thus introduced into Upper Canada, and establish the fact that the object of the agreement between the Provinces was frustrated and its provisions evaded. The exception taken to one of these letters calls on the undersigned to declare that, had he not placed complete reliance on the credibility of the writer, it would not have been produced. Other letters or evidence on oath can be obtained in further support of this claim, but unless the Arbitrator for Lower Canada shall feel himself at liberty to receive such evidence as the case will admit, unless he will allow as a fair basis the testimony of individuals worthy of belief, explaining what may have come within their knowledge on the subject of this claim, and stating circumstances on which a calculation of the loss sustained by Upper Canada may be established with a reasonable degree of accuracy, it is in vain to prolong the discussion without the aid of the third Arbitrator. The very nature of the claim renders the production of more distinct testimony impracticable.

The undersigned meant in objecting on the 2nd instant to the allowance which the Arbitrator for Lower Canada proposed in satisfaction of the fifth claim, that the peculiar circumstances under which the ad valorem duty took effect prevented receipts of any moment at Quebec until the summer of 1814, while Upper Canada had a right to the drawbacks from 1st October, 1813, to 31st December, 1814, a period of fifteen months.

It may be added that if the consumption of Upper Canada at that particular time had been accurately valued, her true proportion of the duties would have far exceeded the 1-5th of the whole receipts at Quebec. The objection, however, was not so much urged on account of the sum at issue, which is inconsiderable, but because the principle of the calculation was not approved of.

With respect to the reduced amount of the sum on which the ad valorem duty of five per cent. was calculated in the sixth claim, the undersigned has to acknowledge the opportunity of rectification afforded him by the Arbitrator for Lower Canada, in examining the copy of the Inspector's returns in his possession.

The Arbitrator for Upper Canada does not feel disposed positively to deny that the "publication of the Act of 53rd Geo. 3rd, cap. 11, by proclamation, was a notification of its existence suffifficiently formal for a public officer, who was the joint servant of two separate Provinces," yet the law was the sole Act of one of the Provinces, and as its provisions materially affected the interests of the other Province, something more than the printing of a Proclamation seemed requisite to enable that joint officer to perform his duty. Though it was not provided for by any express article of the agreement, it would still seem necessary for its just effect, and, indeed, be a matter of course, that Lower Canada should transmit copies of every new Revenue law without delay to the Inspector, as the mere general publication of the existence of a Law, or even the enclosing of the Proclamation, would be insufficient for his guidance without instructions, or a copy of the law itself. But it appears inexpedient to pursue this subject, since the

occasional failure in forwarding such instructions or laws in whatever way it occurred was no doubt purely accidental, and the loss which it unfortunately caused Upper Canada is the main point for consideration.

While on the merits of the sixth claim, it is to be observed that the ad valorem duties were in themselves so difficult of distinction, after the articles on which they had been levied had passed from the hands of the Importer, and were so liable to be erroneously reported at the Coteau du Lac, that the fixed resolution expressed by the Arbitrator for Lower Canada, in his paper dated 4th instant, "to consider the returns of the Inspector at Coteau du Lac as barring every claim that they do not bear witness to, unless some *distinct* and *specific* proof shall be produced that they are defective," bears on Upper Canada with peculiar severity.

The "new matter" brought forward by the undersigned on the 2nd instant, though it may have appeared irrelevant, was designed to show that Upper Canada did not, as the Arbitrator for Lower Canada may have supposed, receive nearly all its supplies of merchandise during the war from the great importers at Montreal, thus paying two-and-a-half per cent. duty only. If the assertion of the undersigned, which it has been conceived unnecessary to contest, were admitted, it might perhaps prove that goods of considerable value, which had been subject to the five per cent. duty, were consumed in Upper Canada. One third of the merchandise imported at Quebec under the ad valorem Act belonged to the non-resident merchant, and the Upper Canada Trader, in making his purchases, would not uniformly prefer the goods of the resident Importer, as the difference of the duties did not affect very sensibly the price. On the contrary, he generally made his selections, if he had cash in his hands, where the prices were most favorable, which, from evident causes, would be at the warehouses of transient importers and at auction rooms. It is reasonable to believe from the circumstances that, on a fair estimate, the goods at five per cent. duty, bought for consumption in Upper Canada, would bear the same, or very nearly the same, proportion to the goods at two-and-a-half, which the two descriptions of goods bore to each other when imported at Quebec. Hence the Returns of the Inspector at Coteau du Lac could not have truly stated the proportion of merchandise at five per cent. for the period ending on the 25th March, 1815, and Upper Canada has consequently a right to the amount of the sixth claim.

As respects the risk which it is imagined the individual not reporting at the Coteau due Lac incurred, it, need only be enquired whether any instance can be mentioned of punishment having been inflicted for similar evasions of the Provisional Agreements? At the period under consideration there was probably not one person in a hundred who was aware of the liability to a penalty in such cases, and it is very questionable whether the fact is now, or was ever at any time better known. The chief inducement to pass the Coteau du Lac, without calling at the Inspector's office, was to avoid detention and the chance of being impressed to transport Government stores; an inducement which would even have prevailed over the consideration of the light penalty they might incur by shunning the Inspector, had the existence of it been a matter of notoriety. It frequently happened that the owner of the goods was not with them on the passage upwards, and as frequently when he did accompany them that the idea of injury being done to the Revenue of the Upper Province by his evading the Reports did not occur to him. This was, in fact, a matter which in those busy times few meddled with, or reflected upon, and which in particular dwelt very seldom in the minds of those who were charged with the transport of merchandise into Upper Canada.

In whatever light breaches of certain provisions in the Agreements between the Provinces may be regarded, whether as caused by defects in the Agreements themselves, or as acts of contraband trade, Upper Canada has been deprived of Revenue, and, in proportion as she has suffered, the sister Province has gained.

The undersigned is under the obligation to dissent from the principle assumed by the Arbitrator for Lower Canada that because individuals who failed to report were liable to a penalty such failure or infraction of the law was an act of contraband trade, for the consequences of which Lower Canada, as she had no control over it, should not be responsible. If, by the Agreements between the Provinces, Upper Canada was entitled to drawbacks of Duties levied on goods imported into Lower Canada; if the returns by which the just proportion of those duties was to be ascertained were shown in more than one instance to be defective and erroneous; if it be the duty of the present Arbitrators "to hear and determine all claims of the Province of Upper Canada upon the Province of Lower Canada, on account of drawbacks or proportion of duties, under agreements made and ratified by the authority of the Legislatures of the said two Provinces, according to the fair understanding and construction of the said Agreements," common justice and equity require that the claims of Upper Canada should not be set aside, because the agreements were too often rendered nugatory by acts over which neither Province had any efficient control. Though Lower Canada might not be responsible for these acts, she ought not to avail herself of any infraction of the law, in order to withhold such amount of duties as may with tolerable accuracy be found fairly due the Upper Province in consequence of these infractions.

In noticing the reply made to the ninth and last claim of Upper Canada under Provincial Agreements, the undersigned has to regret the disinclination manifested by the Arbitrator for Lower Canada to enter into any further discussion relative to the auction duties, on the ground that his former determination remained unaltered.

The undersigned also begs leave to disclaim all acquiescence in the application given to the term *arrearages*, as is represented to have been used in the agreement of 1817, since in his opinion that expression referred to a proportion of every duty previously levied on importations, etc., whether claimed or known, denied or acknowledged. Without this liberal and just construction, the remedy provided by the Imperial Parliament could not produce the satisfactory adjustment of the claims of Upper Canada which was truly intended, but would on the contrary confine the attention of the Arbitrators to the points formerly agitated, instead of taking up the claims which, on further investigation, might be brought forward for particular duties of which that Province had received no proportion, and of determining "those" which may not have been embraced within the terms of any provisional agreement.

Besides, there is no reason to believe that the Commissioners of Lower Canada in 1817 considered the arrearages claimed by the Commissioners on the other side or any part of them as "acknowledged dues."

Admitting, however, for a moment that the term as applied in 1817 does not bear on the present question, the circumstance that "the auction duties had never been considered (in Lower Canada) as a part of the revenue which Upper Canada was entitled to share," though it may show why that share was withheld, does not destroy or in any way affect the claim. It still rests with Upper Canada under the present Arbitration to demand a just proportion of the auction duty or of any other duty on goods passing from Lower into Upper Canada which the undersigned may

discover to have been from any cause withheld. The agreement from 1797 to 1817 provided that Upper Canada should receive her just proportion of all duties levied on goods in Lower Canada, and if it be ascertained that any part of a particular duty, or the whole proportion of it, has not been allowed, that part or proportion, though never before claimed, forms an arrearage on the agreement. It is that portion which though due, remains unpaid on an agreement, and as such rightfully belongs to Upper Canada.

The undersigned, in accounting for the silence of Upper Canada under the long privation of the auction duties, was far from meaning to imply that any concealment had been practised by Lower Canada, however much he may have differed from the Arbitrator for Lower Canada in thinking that the natural confidence of Upper Canada in the justice of the sister Province should have been disappointed by the omission of the latter to furnish such information respecting its own Acts as was absolutely necessary to render its previous stipulations of any value.

The undersigned is at a loss to discover the article referred to as providing from 1797 to 1817 that "Upper Canada should be annually furnished with accounts of all duties then existing or afterwards to be imposed." But admitting that such a provision was in force, was it complied with on the part of Lower Canada? or must the omission of Upper Canada to seek the information alluded to, caused as it was by a confidence in Lower Canada, and preceded by an omission on the part of the latter Province to furnish it, bar the claims for drawbacks on the present occasion?

The Arbitrator for Upper Canada was not prepared to hear it contended that the failure on the part of Lower Canada to notify the imposition of new duties under the alleged existing stipulation "could not be of the least consequence, because the very nature of the auction duties rendered it impossible for any account of them to be taken at Coteau du Lac under the system so long acted on." Upper Canada then is by the operation of this rule to be deprived of revenue because Lower Canada may have devised a duty on goods which baffled the Inspector at Coteau du Lac and could not be accurately reported. But while the equity of this rule may be questioned, it appears to the undersigned that the drawbacks of the auction duty might have been as easily ascertained as in some other instances, and there clearly would not have been a greater risk of inaccuracy in the reports of that duty than experience has shown there was in the returns of the ad valorem duties.

Remarkable as it may appear to the Arbitrator for Lower Canada that duties were expressly relinquished at a time when their amount could have been ascertained with most precision, it does not at all amount to an admission that the duties were never in contemplation, since the formal though prospective relinquishment proves the contemplation; and the inference is, that the desire formerly stated of bringing the discussion to an amicable close, aided, perhaps, by the urgent wants of the Upper Province, induced its Commissioners to relinquish the duties in question expressly for a given period, without prejudice to any claims of a retrospective nature.

The undersigned, by way of elucidating some parts of the statement he has lately had the honor to make, begs leave to lay before the Arbitrator for Lower Canada four tables of calculations, and he has also to suggest the expediency of submitting the points of difference which, otherwise, there is no prospect of settling, to the consideration of the third Arbitrator.

Quebec, 8th August, 1812. (Signed) J. BABY,
Arbitrator for Upper Canada.

Certified to be a True Copy.—(Signed) John Macaulay, Secretary.

A True Copy.—J. Baby.

A. No. 14.

The undersigned Arbitrator for Lower Canada has had the honor to receive from the Arbitrator for the Upper Province a paper dated 8th inst. containing further arguments in reply to the communications of the undersigned, dated the 2nd, 4th, and 6th instant.

The undersigned entirely acquiesces in the necessity of referring the whole of the claims hitherto discussed to the determination of the third Arbitrator, and he is the more convinced that such a reference is unavoidable, from the admission that the Arbitrator for Upper Canada never indulged any expectation of recovering all that was considered to be due. From this admission a question may possibly arise, how far the Arbitrator for Upper Canada may have been authorized to set forth the claims of the Government in the manner he has done, the Committee of Arbitration not necessarily comprehending, but, on the contrary, being, in the opinion of the undersigned, quite inconsistent with that of a claimant or of an advocate. And this particularly applies to the claim for duties on auctions, which was not mentioned among those stated to His Excellency Sir John Sherbrooke in 1817, or to Sir Peregrine Maitland in 1821. The undersigned has only to add, that an Agreement published in the Appendix to the Resolutions of the Legislative Council and House of Assembly of Upper Canada, in 1822, contains the article referred to, as providing for the Accounts to be furnished to Upper Canada, but it has since been pointed out to him that the date of that paper, which purports to be the 8th February, 1797, is erroneously printed and should be 1795.

Quebec, 9th August, 1823.

(Signed) J. HALE,
Arbitrator for Lower Canada.

A True Copy.—J. Baby.

A. No. 15.

The Arbitrator for Upper Canada has the honor to enclose to the third Arbitrator, Letters Nos. 4, 5, 6, and 7, containing matter which will bbe found to support the 8th and 9th claims referred for decision by the Arbitrators of the two Provinces.

The invoices prove the goods were commonly bought at auction to a considerable extent in Lower Canada for consumption in the Upper Province, the only fact which it was intended to establish on that head, since no diligence of research could ascertain by any means the exact amount of such purchases during the period of the claim.

It will also be seen that the proportion of goods which were not reported is rated higher in the Letters than in the eighth claim.

Further evidence might still be obtained were the statements of the undersigned unsupported by sufficient testimony.

Montreal, 23rd August, 1823.

(Signed) JOHN BABY,
Arbitrator for Upper Canada.

Certified to be a True Copy.—(Signed) John Macaulay, Secretary.
A True Copy.—J. Baby.

A. No. 16.

Table First.

Showing the proportion of the Provincial Revenue raised by Duties at the Port of Quebec, and paid over to Upper Canada under Provincial Agreements for the following years:

Years.	Gross amount of Receipts at Quebec.			——	One-eighth of the amount.			Actual receipts by Upper Canada.		
	£	s.	d.		£	s.	d.	£	s.	d.
1795*.....	7,742	10	9	.....	967	16	2	1,117	19	
1796.....	10,017	18	10	.....	1,252	4	7	1,040	10	
1797.....	7,595	18	8	.....	949	9	9	1,206	11	7
1798.....	11,594	1	11	.....	1,449	7	9	1,242	0	5½
1799.....	15,180	19	1	.....	1,897	12	4	1,560	8	
1800.....	12,064	19	4	.....	1,508	2	5	1,003	13	4
	64,196	8	7	.....	8,024	13		7,191	2	4

The difference of these two Columns may be considered the expense of collection.

Quebec, 8th August, 1823.

(Signed) JOHN MACAULAY,
Secretary to the Arbitrator for Upper Canada.

A True Copy.—J. Baby.

A. No. 17.

Table Second.

Showing the proportion of the Provincial Revenue raised by duties at the Port of Quebec and paid over to Upper Canada, under the Provincial Agreements founded on the Returns of the Inspector at the Coteau du Lac and the loss sustained by Upper Canada in changing from the former agreement of one-eighth:

Years.	Gross amount of Receipts at Quebec.			Actual Receipts of Upper Canada.			Proportion.	The Amount had the Agreement of ⅛ continued.			Difference or Loss		
	£	s.	d.	£	s.	d.		£	s.	d.	£	s.	d.
1801	15,555	19	4	1,069	3	1½	1-14th	1,944	9	11	875	6	9½
1802	16,195	4	6	1,172	9	2	1-14th	2,024	8	0¾	851	18	10¾
1803	17,590	0	6	1,419	5	7¾	1-12th	2,198	16	0¾	779	10	5
1804	19,719	8	1	1,414	6	8	1-14th	2,464	10	0	1,050	3	4
1805	31,664	15	4	1,364	13	10	1-23rd	3,958	1	11	2,593	8	1
1806	25,744	8	0	2,397	16	4½	1-10th	3,218	1	0	1,820	4	7½
1807	25,760	12	11	2,650	7	1½	1-9th	3,220	1	5¾	569	14	4¼
1808	29,431	18	9	4,645	10	3	1-6th	3,678	19	10	.....		
1809	47,748	6	10	4,405	7	10½	1-10th	5,968	10	10	1,563	2	11½
1810	53,309	13	10	4,518	1	5	1-11th	6,663	14	2	2,145	12	7
1811	54,598	10	00	3,804	10	3½	1-14th	6,824	16	3	3,020	5	11½
1812	45,376	4	8	3,401	0	7½	1-13th	5,672	0	7	2,270	19	11½
	£382,695	2	9	£32,262	12	4¾	1-11th	£47,836	10	1¼	£17,540	7	11½

*This year includes some arrears of duties on wines.

From this table it appears that Upper Canada sustained a loss during this period from changing her proportion from one-eighth to such a sum as might be predicated on the returns of the Inspector at Coteau du Lac to the amount of £17,540. 7. 11½, which was the more grievous as her increasing population entitled her to more than one-eighth.

The average proportion of duties paid to Upper Canada was during this period less than one-eleventh, being within an insignificant fraction one-twelfth.

The great inaccuracy of the returns afforded by the Inspector at Coteau du Lac is made evident by their inadequacy to the actual increase of population, and by the peculiar disproportion of some years.

Quebec, 8th August, 1823.

(Signed) JOHN MACAULAY,
Secretary to the Arbitrator for Upper Canada.

A true copy,
J. BABY.

A. No. 18.

Table Third.

Showing the proportion of the Provincial Revenue raised by Duties at the Port of Quebec, and paid over to Upper Canada under Provincial Agreements founded on the Returns of the Inspector at Coteau du Lac.

Years.	Gross Amount.	Actual Receipt of Upper Canada	Proportion.	The Amount had the Agreement of One-Eighth continued.
	£ s. d.	£ s. d.		£ s. d.
1813	79,103 11 8	6,386 2 10	1-12th	9,889 3 11½
1814	168,690 5 4	39,250 2 9½	1-4th	21,085 0 8
1815	122,244 12 4	27,217 4 9¼	Nearly 1-4th	15,280 11 6½
1816	109,663 10 8	21,584 17 6	Nearly 1-4th	13,707 18 10
	£479,602 0 0	94,438 7 10¾	1-5th	59,962 15

On this table it is to be remarked that the Return of the Inspector at Coteau du Lac, contrary to every former year, yields a greater revenue than one-eighth, for though 1813 appears less, yet the arrearages already paid on that year raises it to more than one-eighth, exclusive of the claim still remaining. At the commencement of the war, greater attention was paid to his duty by the Inspector, though much escaped him besides the Brigades of Sleighs, Boats, etc., loaded by the Commissariat, which were never reported.

Quebec, 8th August, 1823.

(Signed) JOHN MACAULAY,
Secretary to the Arbitrator for Upper Canada.

A true copy,
J. BABY.

A. No. 19.

Table Fourth.

Remarks on the proportion of One-fifth.

	£	s.	d.
The Revenue paid over to Upper Canada in 1817, the first year of the Agreement last concluded between the Provinces, amounting only to	16,653	9	6
Now, during that year dutiable articles passed the Coteau du Lac amounting, exclusive of 14 Geo. 3rd, to	17,728	2	5
In that year the total proceeds of 14 Geo. 3rd amounted to £14,503 12s. 10d., currency, of which one-fifth is	2,900	12	0
	20,628	14	5
Deduct the sum actually paid to Upper Canada, being one-fifth of Nett Revenue	16,653	9	6
	3,975	4	11

By which it appears that Lower Canada gained by the agreement the sum of £3,975. 4. 11.

From the statement it is evident that were it possible for Upper Canada to collect her own Duties, her Revenue would be much greater than the proportion allowed by the Agreement of 1817. But knowing that the nature of the boundary line renders it impracticable, Upper Canada has always been passive and desirous of agreeing at all hazards with Lower Canada as every agreement will abundantly testify.

Quebec, 8th August, 1823.

(Signed) JOHN MACAULAY,
Secretary to the Arbitrator for Upper Canada.

A true copy.
J. BABY.

A. No. 20.

Quebec, 30th January, 1823.

Sir: Having been appointed Arbitrators on the part of Lower and Upper Canada under the Act of Parliament 3rd Geo. 4, Cap. 119, we deem it necessary to request of you to furnish us with Statements of Merchandise purchased and forwarded into Upper Canada for the Naval and Military Departments in the years 1813, 1814, 1815 and 1816, together with the amount paid for the same.

We have the honor to be
Sir,
Your Most obedient humble servants,
(Signed) J. HALE.
J. BABY.

GABRIEL WOOD, Esquire,
Commissary General.

Certified to be a true copy,
(Signed) JOHN MACAULAY,
Secretary to Arbitrator for Upper Canada.

A true copy,
J. BABY.

A. No. 21.

Commissary General's Office,
Quebec, 31st January, 1823.

Gentlemen: With reference to your letter of yesterday requesting information as to the extent of merchandise purchased and forwarded to Upper Canada on account of the Public Service in the years 1813 to 1816, both inclusive, I beg to acquaint you that there is no means in my power to enable me to comply with your wishes in this respect. All the account books and papers of my predecessor in office, Sir W. H. Robinson, who was in charge of the Commissariat duties in this country during the periods above mentioned, having been carried by him to England.

I have the honor to be, gentlemen,
Your most obedient servant,
(Signed) G. WOOD,
Commissary General.

A true copy,
J. BABY.

A. No. 22.

Commissary of Accounts Office,
Quebec, 7th February, 1823.

Sir: I have to acknowledge the receipt of your letter of the 4th inst. requesting me to furnish you with statements of merchandise purchased in this Province and forwarded to Upper Canada during the years 1813, 1814, 1815 and 1816.

Upon referring to the cash accounts of Commissary Sir W. H. Robinson, for those periods, it appears that purchases were made to a very considerable extent, but, as the account for Transport does not specify the articles, but merely the wages for the number of men employed on that service, or the hire of vessels, it is impossible to ascertain what part was either purchased for, or forwarded to the Upper Province. They have to add that the Store and Provision Accounts of Sir W. H. Robinson for the above-mentioned years were, by desire of the Lords Commissioners of His Majesty's Treasury, transmitted unexamined to England, and consequently there are no records of the same in this office wherefrom the information you require can be derived.

I have the honor to be, Sir,
Your most obedient servant,
J. H. ADAMS,
Deputy Commissary General.

Certified to be a true copy,
(Signed) J. HALE.

A true copy,
J. BABY.

A. No. 23.

Quebec, 10th February, 1823.

Sir: From your favor of the 7th instant to the Honorable John Hale, Arbitrator for Lower Canada, it appears that though the documents in your office do not specify the amount of purchases for the use of Government in Upper Canada made by the Commissary General from the 1st October, 1813,

to 1st January, 1817, you are yet enabled by reference to the cash accounts of the Commissary General, Sir W. H. Robinson, for those periods, to ascertain the sum total of disbursements by that Officer for purchases of Merchandise or Stores of all descriptions in Lower Canada. It also appears that the account for Transport, though it does not specify the articles, states the wages for the number of men employed on that service and the hire of vessels.

As in the absence of other information of a more distinct and satisfactory nature, such facts as those which it appears you can furnish may be useful, we have to request you will be pleased to favor us with extracts from the Cash and Transport accounts above referred to, stating the disbursements for purchases of Merchandise or Stores in Lower Canada within the period specified, together with the wages for the number of men, or the hire of vessels employed in forwarding part of such purchases to Upper Canada.

I have the honor to be, Sir,
Your most humble servant,
(Signed) J. BABY,
Arbitrator for Upper Canada.

J. H. ADAMS, Esq.,
Deputy Commissary General.

Certified to be a true copy,
(Signed) JOHN MACAULAY,
Secretary.

A true copy,
J. BABY.

A. No. 24.

Military Secretary's Office,
Quebec, 11th February, 1823.

Sir: In reply to your letter of yesterday, I beg leave to inform you that it is not in my power from any documents in this office to furnish you with statements of the Merchandise purchased in the Province by the Commissariat Department and forwarded to Upper Canada in the years 1813, 1814, 1815 and 1816, or the amount paid for the same.

I have the honor to be, Sir,
Your most obedient servant,
H. C. DARLING.

The Honorable J. Hale.

A true copy,
J. BABY.

A. No. 25.

Commissary of Accounts Office,
Quebec, 17th February, 1823.

Sir: Having submitted your letter of the 10th instant to His Lordship the Commander of the Forces, I beg leave to acquaint you, that His Lordship sees no objection to you or Mr. Hale having reference to any account on record in this office, but he does not think it necessary to direct that statements of them should be furnished, as it would interfere with the Public duties of my department.

I have the honor to be, Sir,
Your most obedient servant,
(Signed) J. A. ADAMS,
Deputy Commissary General.

J. BABY, Esq.,
Arbitrator for Upper Canada.

A true copy,
J. BABY.

A. No. 26.

The undersigned has already had the honor to acknowledge the receipt of the different papers transmitted to him by the Honorable the Arbitrators for Upper and Lower Canada, and has carefully considered the different claims contained therein, as well as the objections thereto, with the correspondence on both sides, and has duly weighed the reasons offered for and against their admission.

The first, second, third and fourth claims prepared by the Honorable James Baby, Arbitrator on the part of Upper Canada, having been by him relinquished, require no further notice.

The undersigned on the fifth claim concurs with the Honorable John Hale, Arbitrator on the part of Lower Canada, in the fair proposal by him made to allow the Province of Upper Canada one-fifth of the duties collected in Lower Canada, under the 53 Geo. 3, Cap. 11, a proportion sanctioned by the Commissioners of both Provinces in the year 1817, soon after the termination of the late war, when its effects must have been strongly impressed on their minds, and since adopted by the Imperial Parliament as appears by the Act 3 Geo. 4, Cap. 119. The amount of Duties collected in Lower Canada, under 53rd Geo. 3rd, Cap. 11, from 1st October, 1813, to 5th January, 1815, was £62,468. 10. 9; one-fifth whereof is £12,493. 14. 2, of which Upper Canada has received £5,272. 16. 8, leaving a balance of seven thousand two hundred and twenty pounds, seventeen shillings and sixpence, currency, which sum the undersigned awards to be paid to the Province of Upper Canada in full satisfaction of the fifth claim.

The undersigned on the sixth claim is obliged to say, with the Honorable the Arbitrator for the Province of Lower Canada, that he feels himself bound to consider the returns of the Inspector at Coteau du Lac as barring every claim they do not bear witness to, unless distinct and specific proof be produced that they are defective, the more especially as the Inspector was the Joint Officer of the two Provinces, and his returns have not been invalidated by anything the Honorable the Arbitrator for the Province of Upper Canada, who has had an opportunity to examine them, has produced.

The returns of the Inspector from 1st January to 25th March, 1815, amount to 2½ per cent. on Sterling, £52,197. 8, and 5 per cent. on £843. 6. 10 —Sterling, £53,040. 14. 10, or £58,934. 3. 1 currency, and as it is admitted that the proportion due on that sum to Upper Canada has been paid, the undersigned deems this a settled claim.

The undersigned has given to the seventh and eighth claims, and to the documents and papers in their support, the most deliberate consideration, and finds it impossible to form with any degree of accuracy a basis for calculation, as he only perceives a mass of assertion to maintain them, and arguments founded thereon, without that strong convincing proof of the facts alleged, which alone should entitle to admission claims of such a magnitude. However, as the honorable the Arbitrator for Lower Canada has not denied, and as the undersigned is convinced in his own mind that goods subject to the advalorem Duties were purchased by the Commissariat Department, and by other individuals in the years 1813, 1814, 1815 and 1816 in Lower Canada, and afterwards transported to Upper Canada without having been previously entered at Coteau du Lac, and as the Honorable the Arbitrator for Upper Canada has stated in his correspondence, that in producing these claims he was well aware that they did not

rest on such particular proof as it was desirable to offer, and that he therefore never indulged in any expectation of recovering all which he considered due, the undersigned, guided by the broad principles of equity and actuated by a spirit of conciliation, is induced to award and does award a specific sum—namely, Five Thousand Pounds Currency—to the Province of Upper Canada, in full and complete satisfaction of these last mentioned claims.

With respect to the ninth and last claim, the undersigned has before him what he cannot but consider as an express relinquishment of such a claim by the Commissioner for Upper Canada in the agreement dated 31st May, 1817, which in his opinion operates as a bar to any claim prior to the date at which such agreement terminated, nor can he admit it as a claim which Upper Canada could class among her demands for arrearages due previous to the year 1816. Because such a claim, if ever made previous to the year 1817, which does not appear, was certainly never before admitted and was then freely and expressly relinquished on the part of Upper Canada. So besides it appears to the undersigned to be of late creation, as no mention has been made of such a pretension, either to His Excellency Sir John Coape Sherbrooke in 1817, or to Sir Peregrine Maitland in 1821. However, the Tax on Sales by Auction was imposed for internal purposes, and never intended by the Legislature of Lower Canada to be participated in by the Province of Upper Canada, as manifestly appears by the instructions given to the Inspector at Coteau du Lac, to make returns only of the goods passing his post subject to the specific duties imposed by the Act 45th Geo. 3, Cap. 13, which were entered and collected by the Custom House at Quebec, and the Auction Tax was levied on sales made by auctioneers licensed by the Governor of Lower Canada, not collected by the Custom House at Quebec, but paid into the hands of the Receiver General of Lower Canada. It is therefore evident to the undersigned, that the whole operation of that Act was not intended to extend to Upper Canada, and he consequently considers the ninth claim as totally inadmissible, and such is his final award.

(Signed) ROBERT MORROGH,
Third Arbitrator under 3 Geo. 4th, Cap. 119.

Montreal, 27th August, 1823.
A true copy,
J. BABY,

B.

Award of the Arbitrators appointed under an Act of the Imperial Parliament, 3rd Geo. 4, Chap. 119, "to hear and determine all claims of the Province of Upper Canada upon the Province of Lower Canada on account of drawbacks, or proportion of Duties under agreements made and ratified by the authority of the Legislatures of the said two Provinces."

The two Arbitrators first appointed met at Montreal on the 20th January, 1823, namely:

The Honorable James Baby for Upper Canada by Commission dated 4th January, 1823, and the Honorable John Hale for Lower Canada, by Commission dated 15th January, 1823, and on the 22nd January, 1823, the said Arbitrators by an instrument under their hands and seals did appoint Robert Morrogh, Esq., of Montreal, in Lower Canada, to be the third Arbitrator, pursuant to the said Act of the Imperial Parliament.

The Arbitrators then adjourned and the two first appointed having had frequent meetings at Quebec, between the 21st July and 14th August, finally joined the third Arbitrator at Montreal on the 21st August, 1823.

Sundry claims advanced on the part of the Province of Upper Canada were then taken into consideration, upon which it is determined and declared:

1st. That upon claim the fifth for a proportion of Duties levied in Lower Canada under the Act of the Provincial Legislature, 53rd Geo. 3rd, Chap. 11, "upon Merchandise between 1st October, 1813, and 31st December, 1814, no account of which was taken at Coteau du Lac till 25th April, 1814." The award of the Arbitrators undersigned is, that the sum of seven thousand, two hundred and twenty pounds, seventeen shillings and sixpence, Canada Currency, shall be paid to the Province of Upper Canada in full and complete satisfaction of the said claim.

Montreal, 27th August, 1823.

(Signed) ROBERT MORROGH,
J. HALE.

2nd. That upon the seventh and eighth claims, viz.: On claim the seventh, "For drawbacks of Duties on Merchandise purchased in Lower Canada by the Commissary General and other Public Officers, and sent to Upper Canada for the use of the Army, the Navy, the Naval Yards, the Quarter Master General's, Royal Engineers', and Barrack Departments, etc., during the years 1813, 1814, 1815 and 1816, of which no account has been taken at Coteau du Lac," and on claim the eighth, "for duties on Merchandise passing Coteau du Lac, in the years 1813, 1814, and 1815 without reporting," the award of the Arbitrators undersigned is, that the sum of five thousand pounds Canada Currency shall be paid to the Province of Upper Canada in full and complete satisfaction of the said claims.

Montreal, 27th August, 1823.

(Signed) ROBERT MORROGH,
J. BABY.

D. No. 1.

Determination of the Arbitrators for the Provinces of Lower and Upper Canada, appointed under the authority of the Act of the 3rd Geo. 4th, Cap. 119, respecting the improvement of the navigation of the River Saint Lawrence.

We, the undersigned Arbitrators appointed under the provisions of an Act of the Imperial Parliament, 3rd Geo. 4, Cap. 119, in pursuance of the 30th Section of the said Act, have had under our consideration a letter from Andrew Wm. Cochrane, Esquire, Secretary to His Excellency the Governor in Chief administering the Government of the Province of Lower Canada, dated the 22nd July, 1823, enclosing certain Reports relating to the Navigation of the River Saint Lawrence, together with an Address from the House of Assembly of Upper Canada to His Excellency the Lieutenant Governor of that Province, praying that a Survey may be taken with a view of ascertaining what improvement may be made in the navigation of the waters of the River Saint Lawrence, and that the amount of certain duties heretofore levied in Lower Canada under an Act of the Legislature of that Province, 48th Geo. 3rd, and remaining unexpended, may be appropriated to the purposes of defraying the expense of the said survey. Upon which subject we have agreed and determined to recommend:

1st, That as a preliminary measure, three Commissioners should be appointed in the usual manner, to enquire into the present state of the River, to suggest improvements in the navigation thereof, and to procure Plans and Estimates of the improvements they may recommend.

2nd, That the improvement of the navigation of the River Saint Lawrence being an object of common interest to both Provinces, the sum remaining unexpended of the Duties heretofore levied in Lower Canada under the Act before mentioned should be appropriated generally to that purpose, without reference to boundaries.

Signed at Montreal in Lower Canada, this twenty-fifth day of August, in the year of Our Lord, one thousand eight hundred and twenty-three.

(Signed) J. BABY (L.S.).
Arbitrator for Upper Canada.
(Signed) J. HALE (L.S.).
Arbitrator for Lower Canada.
(Signed) R. MORROGH (L.S.).
Third Arbitrator.

A true copy,
J. BABY.

D. No. 2.

The improvement of the Navigation of the River Saint Lawrence having been brought under the consideration of the present Arbitrators by the respective Governments of Upper and Lower Canada, the undersigned Arbitrator for the former Province begs leave to submit the following propositions:

1st, Three Commissioners, appointed jointly by the Governors of the Provinces, shall be specially authorized to survey the River Saint Lawrence from the head of the rapid waters, near Johnstown, downwards as far as Montreal, and shall report to both Governments on the practicability of making improvements in the navigation; preparing at the same time with the aid of professional men, and delivering with their reports, Plans, Maps, Field Notes and Estimates respecting the works they may consider necessary. They shall first examine the bed of the River, and ascertain what advantage the commerce of the Provinces might derive from works confined to its banks, or their immediate neighborhood. They shall next explore the adjoining country and determine on the expediency or benefits of a Canal similar in plan and dimensions to the work now in progress at LaChine, which commencing near Johnstown should enter Lake Saint Francis, and continuing its course from Coteau du Lac terminate near the Cascades. The expenses of this survey shall be defrayed out of the moneys now in the hands of the Receiver General of Lower Canada which have arisen from the Duties or Rates on Rafts, Scows, etc., passing Chateauguay, collected by virtue of the Act of the Provincial Parliament of Lower Canada 48th Geo. 3rd, Cap. 19, and appropriated for the improvement of the Inland Navigation of the River Saint Lawrence, between Montreal and Lake Saint Francis.

2nd, In the event of the Commissioners thus appointed and empowered reporting that it would be more advantageous to undertake the plan last alluded to, than to confine their operations to the borders of the River, some fund would be required for carrying it into effect, and it is accordingly proposed to create a Stock of £100,000 or more, if wanted, for the redemption of which at a stated period, and the payment of the interests, in the meanwhile, the joint faith of

the two Provinces shall be pledged. There can be no doubt that a loan of the above amount might be obtained by the Provinces on easy terms, and that their combined resources are adequate to the regular payment of the interest and the extinguishment of the debt within a moderate space of time. The creation of a fund of this description would render the construction of the proposed Canal less onerous, and would it is conceived afford greater facilities in the immediate execution of the work, than an annual appropriation from the ordinary revenue of Canada, or from a special duty. With respect to the mode of discharging the interest on the loan a difference of opinion may exist in the country. Some persons may be inclined to impose an additional duty on Rafts and Boats navigating the River, and others may prefer a duty on Imports to be specifically applicable to that purpose. The undersigned must avow a predilection for the latter mode, because an additional duty on some particular article of commerce might be devised, that would bear equally on the Provinces, and produce the sum required easily and without detriment to any class of people, or to any individual or general interest. It is on the other hand very questionable how far it would be consonant with good policy to impose any additional duty or tax on Rafts or on any branch of the Inland Trade of the River Saint Lawrence. The present Rates paid on Rafts of Timber, etc., descending to Market might perhaps be continued on an improved system of collection, and under a moderate toll might be exacted, and would, of course, be necessary in the event of any improvement being effected, on all boats passing upwards. But any scheme for raising in this way a sum of five or six thousand pounds besides keeping the works in repair, paying the Officers at the Locks, etc., must defeat itself, as it would press too heavily on the Trade, and tend to divert a large portion of it from Quebec to New York. The imposition of duties on the Trade of the River cannot be attempted with too great caution, because a mere trifle might have the effect just mentioned. It is hoped that Lower Canada will enter heartily into a project which must so materially contribute to her prosperity. The fund collected for improving the River eastward of the Boundary line, where indeed the principal impediments exist, is in her treasury, and at her sole disposal. Yet as it was chiefly paid by the Raftsmen of Upper Canada, it is trusted that it may be regarded as a common property applicable to the improvement of the Saint Lawrence without reference to local distinctions, and that Lower Canada will not object to such a general application of it.

Should it be said that an impost at Quebec of which the whole produce would be appropriated to the improvement of Inland Navigation on the great channel of Canadian commerce would bear unequally on the two Provinces, and would consequently be unjust and unexpedient, it may be observed that admitting it did bear on the Lower Province with a greater pressure than on Upper Canada, the former Province would still be a gainer. Every improvement in the navigation of the Saint Lawrence which tends to facilitate the transportation of the produce of Upper Canada and the neighboring States to the markets of Montreal and Quebec produces immediate benefit to Lower Canada, a benefit not only immediate, but permanent and continually increasing with the increasing number and wealth of its customers.

It is perhaps capable of demonstration that Upper Canada is not so much interested as Lower Canada in improving the water communication by the River Saint Lawrence, for the Markets of New York are open to her trade, and would receive it with eagerness. Already have the merchants of the State of New York purchased wheat in the Districts of Gore and Niagara, and conveyed it

to Rochester to be there manufactured and forwarded by the Erie Canal. Flour can also be sent from any part of Lake Ontario to Salina by way Rochester at the rate of about two shillings and sixpence per barrel, and as soon as the Erie Canal is completed the expense of sending a barrel of flour from the shores of Lake Ontario to New York will not differ materially from the charges incurred for transport from that Lake to Quebec. Should the improvement of the Saint Lawrence therefore be neglected or delayed, in consequence of any ill-timed or unworthy jealousy between the Provinces respecting the proportion which each should bear of the expense, Upper Canada might at least send her flour to New York, and, if she should there sell it at a price equal to that offered at Quebec, she could not be said to suffer, while the diversion of her trade to another channel would sensibly depress the commerce of the Lower Province, and its effects would be felt by all classes of its people. This result is, however, greatly to be deprecated, if not in a commercial point of view, at least from National considerations. Upper Canada could on this question have no difficulty in recognizing the truth of the maxim adduced by the Commissioners of Lower Canada in reporting to their Legislature at an early period the terms of a Provisional agreement between the Provinces, that "rigid accuracy between Provinces of the same Empire is not necessary; nor is it attainable." She would be therefore ready to bear her share of the expense of improving the Saint Lawrence to the extent of her resources, and should Lower Canada be averse to a duty on imports such as it has been attempted to show was advisable, she would willingly accede to any other feasible and equitable scheme for effecting an object alike essential to the rapid growth of both Provinces in commerce, wealth, power and prosperity.

In the report of the Commissioners of Internal communications made to the House of Assembly of Lower Canada in the year 1818, the importance of improving the navigation of the Rivers of the Province generally is very accurately set forth. "It will," say they, "accelerate the settling of the country, facilitate its agriculture, and confer on each and every part of the Province an equitable participation in the benefits of internal improvement. This species of communication will, to commerce chiefly, be of incalculable benefit, and will lead to the Ports of this Province the trade of a portion of the Territories near this Province." They next advert to the efforts which are making by the American Government to divert the course of the trade by means of the internal navigation of the River Saint Lawrence: "With this view that Government contemplate making the Grand Canal and Locks between Lake Erie and the Navigable waters of the River Hudson, and also between Lake Champlain and the aforesaid navigable waters." If the Province of Lower Canada should on the other hand take measures for improving the internal navigation of its River from the Saint Lawrence as far as the lines, it will in a great part prevent the effects of the measures of that Government, and Lower Canada by ameliorating that navigation will open various sources of exportation by the River Saint Lawrence and furnish employment to British shipping.

The Canals here spoken of are now rapidly approaching their completion, and the effects anticipated by the Committee must follow unless the measures of the State of New York should be counteracted in this country. With the great natural advantages presented by the River Saint Lawrence, nothing more is wanted than a zealous and cordial co-operation between the Sister Provinces of Canada to accomplish what is so much to be desired, and to retain forever the great and increasing trade of which the Gulph of Saint Lawrence is the proper

outlet. This co-operation is not to be despaired of, provided a return can be made to that harmony and friendly understanding which formerly existed between the Provinces, and which has been too long interrupted by an unhappy combination of circumstances. Were the two Legislatures once impressed with a sense of the identity of interests which does actually exist between the Provinces in this matter, such a conviction would induce them to act in concert on this occasion, and the consequence would be, that in a few years the obstacles which Nature has opposed to the easy navigation of the Saint Lawrence would be cleared away by the united resources of Canada, and the trade of both sides of that River, as well as of the Great Lakes, would notwithstanding the efforts of American enterprise be permanently concentrated in the market of Lower Canada. Quebec, 13th August, 1823.

(Signed) J. Baby,
Arbitrator for Upper Canada.

NOTE.

Should any general scheme of improvement be adopted, and unless it be general it cannot be very useful, it appears advisable that the Locks at the Cascades and the Coteau du Lac should be placed under the joint control of the Provinces. It is conceived that the sums disbursed from the Military Chest in their construction have been long ago refunded by the high tolls which have been exacted on boats passing upwards.

It is also submitted whether the thirtieth Section of the Act 3rd Geo. 4th, Cap. 119, does not annul the Provincial Act 48th Geo. 3rd, Cap. 19, so far as it respects Rafts descending the River from Upper Canada.

(Signed) J. B.

A true copy,
J. Baby.

D. No. 3.

The undersigned Arbitrator for Lower Canada has had the honor to receive from the Arbitrator for the Upper Province a paper dated the 13th instant on the subject of the navigation of the River Saint Lawrence, and he concurs with the Arbitrator for Upper Canada in the proposition that Commissioners should be appointed without loss of time to inquire into the state of the navigation, to suggest improvements and to procure plans and estimates accordingly.

The Commissioners may in the first instance be appointed in the usual manner, each of the two Governments appointing one, and these two choosing a third; but it may be well to provide for the occasional removal of these Commissioners, and with this view it is recommended that the Commissions of the two first should be held during pleasure, and that the nomination and appointment of the third should be revocable by the first two Commissioners with the concurrence of the Governor of either Province.

The undersigned concurs also in the opinion, that the expense to be incurred in improving the navigation of the Saint Lawrence ought to be defrayed in equal proportions by the two Provinces, and upon this principle re recommends that the sum remaining unexpended of the fund heretofore raised in Lower Canada for the partial improvement of the River should be applied generally to that purpose. The undersigned declines giving any opinion upon the question how far the 30th Section of the Act of Parliament, 3rd Geo. 4th, Cap. 119, may affect any tolls hitherto exacted in Lower Canada.

It is doubted whether the Arbitrators are required to suggest the means of carrying on any Public works, but, if it is to be so understood, the undersigned would recommend the negotiation of a loan rather than any appropriation of the ordinary revenues of the Provinces. But he could not agree to lay a tax upon imports for the purpose of paying the interest, because he thinks that the particular branch of commerce which derives benefit from the improved navigation ought to support that charge, and if it cannot bear any considerable addition to the tolls existing, the works to be undertaken must be contracted accordingly. Quebec, 14th August, 1823.

(Signed) J. HALE,
Arbitrator for Lower Canada.

A true copy,
J. BABY.

D. No. 4.

Government House,
York, April 30th, 1823.

Sir: By command of the Lieutenant Governor, I have the honor to transmit to you copies of an Address presented to His Excellency by the House of Assembly during the last Session of the Legislature and of His Excellency's reply thereto, and I am instructed to request you will be pleased to take the necessary measures therein.

I have the honor to be, Sir,
Your most obedient humble servant,
G. HILLIER,

A true copy,
J. BABY.

D. No. 5.

To His Excellency, Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it Please Your Excellency: We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, most humbly beg leave to represent to Your Excellency, that We have resolved, that by the thirtieth clause of an Act of the Imperial Parliament passed in the third year of His Majesty's Reign, entitled "An Act to regulate the Trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces," it is enacted, that the expense of improving the navigation of the River Saint Lawrence shall in future be defrayed by such measures and in such proportions as the Arbitrators to be appointed under the provisions of the said Act shall determine upon the prayer of either Province, provided always that no such determination shall be carried into effect until sanctioned and enacted by the Legislatures of both Provinces. Also, that by an Act of the Parliament of Lower Canada passed in the forty-eighth year of His late Majesty's Reign, certain rates or duties payable at Chateauguay and Montreal, were imposed on all Scows, Rafts, and Cribs, passing the rapids between Chateauguay and Montreal, and were appropriated as a permanent fund for the improvement of the navigation of the River Saint

Lawrence, also, that by the published statements of the Public Accounts of Lower Canada the amount of duties levied under the said Act and unexpended on the 1st of November, 1821, was five thousand two hundred and three pounds six shillings and sevenpence, of which it is ascertained a great proportion was levied on the trade of Upper Canada, and that it is highly desirable the said sum should be expended.

We therefore humbly beg Your Excellency to direct the attention of the Arbitrators on the part of this Province to this subject, and to recommend that from the said fund provision be made for an accurate survey of the course of the Saint Lawrence by an Engineer properly qualified to report on the improvements that may be made therein, that the subject may be referred to the consideration of the Legislatures of both Provinces at their next Session in conformity to the provisions contained in the said Act of the Imperial Parliament.

Commons House of Assembly,
13th March, 1823.

(Signed) LEVIUS P. SHERWOOD,
Speaker.

To which His Excellency was pleased to make the following reply:

Gentlemen of the House of Assembly,—I shall not fail to cause instructions to be given to the Arbitrator on the part of this Province on the subject of Your Address relative to the Survey of the River Saint Lawrence.

Certified.

(Signed) G. HILLIER.

A True Copy.—J. Baby.

D. No. 6.

Quebec, 23rd July, 1823.

My Dear Sir,—The enclosed papers came to my hands last night, and I send them to you for your perusal according to orders. I shall hope to see you in the course of the morning.

Your very devoted, humble servant,

(Signed) J. HALE,

Honorable James Baby.

A True Copy.—J. Baby.

D. No. 7.

Report.

To Thomas A. Turner and Robert Armour, Esquires, Commissioners for Inland Navigation for the River Saint Lawrence in the District of Montreal.

Gentlemen,—Pursuant to your instructions to me, bearing date the Twenty-ninth day of October, 1822, I have surveyed and examined the Raft and Boat Channel where the waters of the River Saint Lawrence, near Nun's Island, take their course round said island and intersect the River Chateauguay, at Dalton's Point, and from thence down the river, to where they form a junction with the main body of the River Saint Lawrence. I have likewise ascertained and laid down on the plan accompanying this Report the material obstructions to the raft and boat navigations as marked thereon.

The only safe course for rafts and boats descending the River Saint Lawrence in time of low water is represented by a dotted line commencing opposite the point of Isle Perou at K, and terminating below the outlet of the River Chateauguay at L, and passing the southern and eastern sides of Nuns' Island at Dalton's Point, there is a safe and commodious harbour, in which all boats and rafts may remain in safety during storms and adverse winds, until more favorable weather admits them to pass down the Sault Saint Louis rapids to Montreal, which can be effected only in calm weather, or during a favorable wind. So difficult is this part of the navigation that boats and rafts are frequently detained in the Harbour of Chateauguay for six or eight days waiting for favorable weather.

The first obstruction in this course is pointed out on the map at E, being a sand bar of about sixty-six yards in breadth across the channel when the river is at its lowest; there are only from eighteen to twenty inches of water on this part. At X, is a large rock in the channel which only appears above water when the river is at its lowest. Boats passing this place after dark are in great danger of being dashed to pieces on this rock, and rafts are apt to be wrecked on the sand. In order to render this passage safe for the purposes of navigation it would be necessary to remove the rock, and also a sufficient portion of the sand bar, so as to make the channel at this place at least four feet in depth and sixty-six yards in width. The sand removed from this bar should be carried some distance and lodged in deep water, so that the agitation of the waters may not cause its return to the same place.

The second impediment is a bar of rocks at A, extending almost across the river, and leaving only a narrow passage on the sides marked A; this passage is extremely difficult to navigate either with boats or rafts during the time of low water.

The third, fourth, and fifth impediments are B, C, and D, consisting of bars of rocks, which render the navigation of the channel during low water extremely difficult for boats and rafts, but particularly dangerous for steamboats, which proceed with more velocity than craft propelled by oars.

At E, to render the channel navigable with safety, it would require four thousand cubic yards of sand to be removed to the distance of half a mile.

The rock at X must likewise be removed, together with the bars of rocks at A, B, C and D. This would leave a channel sufficient in width and depth to answer the purposes of navigation; that is, the sand removed at E would leave a channel to the width of sixty-six yards, and the rocks removed at A, B, C and D would there leave a clear channel about thirty yards in breadth, and four feet in depth at low water. The most probable expense for removing these obstructions I should estimate as follows:

For removing the sand and rock at E.....	£200
For removing the bars of rocks at A, B, C and D	200
Making the sum of	£400

This work could only be accomplished during the months of August and September, and for some years past part of October might have been included.

Although it does not come immediately within the limits of my instructions, I cannot forbear calling your attention to the great necessity there is for the erection of a Light House at O, a high point of land on the western extremity of Nuns' Island. This height is in the form of an oval, and at O (see the map) is the body

of a stone windmill, which might at a very small expense be converted into a light-house, and for a small additional sum a light might be kept up in the same by the farmer residing in the buildings on Nuns' Island, marked P.

The boats and rafts descending the River Saint Lawrence leave Coteau du Lac in the morning and pass over the Cascade rapids between the hours of twelve and two o'clock in the afternoon; after which every exertion is made to reach Chateauguay harbour before night, because remaining on the lake would be attended with danger. The darkness of night, however, generally overtakes them before they are able to reach the said bar, at E, and very frequently night comes upon them at K, from which they have a crooked and dangerous course to proceed through. The difficulty attending the navigation of this part of the river would be considerably removed by the erection of a lighthouse, as above mentioned, which would serve to guide them in the right course, whereas, for want of some such guide, boats and rafts are frequently driven upon sand shoals, where they are in danger of being wrecked, or are detained many days by adverse winds before they can reach Chateauguay Harbour. This knowledge I have from actual experience. I have frequently known boats driven upon the same shoals to the imminent danger of the passengers and crew, who suffered much in their perilous situation during a dark and tempestuous night. Hence the necessity of removing these obstructions to the navigation of the river, and also for the erection of a lighthouse, which would enable rafts and boats to reach the harbour in safety, although overtaken by the darkness of night.

Secondly.—Rafts and boats descending the Lachine or Sault Saint Louis rapids, generally leave the Harbor of Chateauguay in the morning by daybreak, and during a calm day arrive at the head of the rapids about three hours after, when they touch the rapids they descend them with great velocity. Their course is pointed out (on Plan No. 2) by a dotted line accompanying this report. In their descent, they just touch the rocky cascade at the point G. Rafts drawing three feet of water while the river is at its lowest, do not meet with any obstruction until they come near to the three rocks marked in the Plan (thus O)—in time of the lowest water they commence touching upon the bottom or bed of the river, which is composed of a smooth ledge of rocks, at the rocks thus marked. The uncommon rapidity of the water, however, will force them over should the raft draw six inches more water than the depth of the channel, unless they come in contact with one of the rocks above mentioned. In this case the raft changes its course instantaneously, and generally grounds on one side of the channel, the rapidity of the current being so great as to put it out of the power of the men to govern the raft. A raft once aground in this place is so difficult to remove that it frequently costs the proprietors the value of one half the raft, sometimes the value of the whole, to carry it to Montreal. In the time of lowest water, which continues about three months every season, there is a space in this channel, commencing a little above the three rocks, and extending below them a distance of about two hundred yards, where the water in the channel is only eighteen to twenty-four inches in depth. The bed of the river at this place is composed of a stratum of dead lime stone, and on each side of the channel is a continued bed of rocky shoals. All rafts drawing from thirty to thirty-six inches of water, which is the common depth of rafts, are compelled to run the lost channel at the north end of the great cascade marked on the plan. This is a most dangerous and frequently destructive course.

There is a sufficient depth of water to be found in this channel at all seasons, but the uncommon size of the breakers renders it impossible for rafts to descend

with safety, unless they are made very strong, and even these are frequently dashed in pieces by the swells and dispersed in different directions down the river, occasioning great expense, sometimes almost total loss, to the owners of the said rafts.

It is impossible for boats to descend the lost channel, they are obliged to make La Chine, where they discharge one half of their cargo and afterwards run the rapids with the remainder, and in many instances come in contact with one of the three rocks mentioned above, when boat and cargo are either lost or materially damaged.

The remains of a weir constructed by the Government about fourteen years ago are represented on the map in the space shaded with black extending from E to F. This was raised in order that rafts and boats might pass over the shoals in safety. From the appearance the above work extended seven hundred and fifty feet in length, twelve feet in width, and four in height, and was constructed of small white pine timber squared; the space between the sides was filled with small stones. This work proved of but little service to aid the navigation and lasted but for a short time. The timber being neither of the proper size nor quality to endure for any length of time, and for the time of its duration, although it caused a greater quantity of water to flow into the raft channel, for want of a second weir to oppose the force of the water thus forced into said channel, it was allowed to disperse equally over the whole surface of the river to the south shore, "water always finding its own level." In order to remove entirely the difficulty attending this particular part of the navigation, I would recommend the construction of two weirs, as represented on the plan by the two spaces shaded black, A D and C B, forming a tunnel of one thousand and fifty-six feet in length, the lower end being two hundred feet in breadth and the upper end four hundred. This, if rightly constructed, would in time of low water force through to the tunnel a double quantity of water, which would allow a raft drawing forty inches, and probably more, to pass even during the period of low water.

Each weir should be one thousand and fifty-six feet in length, twelve feet in width, and five feet high. The sides ought to be constructed of sound white oak over twelve inches square, locked together by cross pieces of the same, and framed together in every fifteen feet. The upper end should form a round point fastened together with bars and trunnels of iron, so as to make the ends of the weir able to resist the pieces of broken ice that descend the rapids in the spring of the year.

The weirs constructed as above directed should be filled in a solid manner with stones, which must be carried on boats from the shore. This may be safely done from near the mill marked on the plan. Boats carrying stone for this purpose should steer out under the reefs of rocks until they reach the channel, from thence descend to the shoal at or near the three rocks so often adverted to, when they can with safety fall into the eddy of the weir and discharge their cargo. But here I would beg leave to recommend the removal of the three rocks previous to the construction of the weirs, because afterwards the waters would be too deep and strong to effect the accomplishment of the work.

To construct the two weirs it would be necessary to raise them five feet in height to prevent the water from running over them, and twelve feet in width that they may be of sufficient density to resist the force of any raft or ice that may come in contact with them. The weirs constructed after this manner would form a tunnel sufficient to admit the passage of rafts and boats drawing under forty inches of water with perfect safety.

To form and complete a tunnel at this place of the above description would require fifteen thousand feet of white oak of a proper size and length. This should be deposited at Chateauguay, and from thence carried down the river, and grounded upon the shoals near where the tunnel is to be constructed in such quantity as may be required; the probable expense of the oak timber delivered on the shoals would depend much on the Montreal prices, say fifteen pence per foot, making

	£		
	937	2	6
To fill up the weirs requires 5,000 cubic yards of stone, the probable expense would be . . .	2,112	0	0
Framing the timber and placing same	250	0	0
Iron work estimated at	150	0	0
Amounting to . .	£3,449	2	6

Which being a considerable sum, should this work be constructed of different materials, say of pine or any other cheap timber, the expenses might be considerably diminished. In this case, however, the work would be but of short duration, and consequently but of little importance to the navigation of this place; whereas were it composed of proper wood and other lasting materials under the direction of a competent engineer, it would serve not only as a monument of the spirit of enterprise, but would also be found of the greatest public utility.

Montreal, 14th January, 1823.

(Signed) J. DAVIS,
C. L. Surveyor and Civil Engineer.

Certified.—A. W. Cochran, Secretary.
A True Copy.—J. Baby.

D. No. 8.

Prescott, 10th August, 1823.

Sir,—Since I had the honor of receiving your letter of the 13th March. I have not failed to hold in recollection the desire of His Excellency the Lieutenant Governor therein contained, that I should collect and transmit to you such further particulars as I could collect, relative to the obstructions in the navigation of the Saint Lawrence and the best means of removing them, consulting therein the parties joined with me in petitioning His Excellency on that subject. It has not, however, been in my power to address you on the subject at an earlier period.

The statement which I now have the honor to enclose herewith has been framed from such of the opinions of such of the Petitioners as I have had access to, together with my own. I regret that it is not more minute and explanatory, and it was my intention at first to have furnished His Excellency with drawings of the different places referred to, and estimates of the proposed improvements, but I since perceive that such a report could not be prepared without incurring an expense in professional aid, which your communication to me does not justify.

You will perceive that I have abstained from entering into any description of the difficulties occurring within the Upper Canada Boundary, as not regularly connected with the subject referring to the letter of the Act by which the Chateauguay fund has been raised, which confines the expenditure of the money to that part of the river between Lake Saint Francis and Montreal. I would beg leave, however, on this occasion, to point out to you, and in event of the fund being

extended in its application to Upper Canada, that no correct report can be made on the best mode of removing the obstructions of the navigation above Saint Francis until the persons who have illegally possessed themselves of certain parts of the river for the erection of works to suit their indvidual interests are removed or ejected. I refer more especially to the works at Mille Roches and Moulinette Rapids, where nearly one half of the stream is monopolized by two individuals.

There are several other instances above these; this is a growing and alarming evil to the general interests of the country, and is so general, and combines such local interest, that the usual application to the Grand Juries has been found ineffectual in stopping it. The privilege of erecting works in the river below the low water mark belonging exclusively to the Crown, I should humbly suppose that it would be competent for the Executive itself to dispossess illegal intruders; and were it generally understood that no work of any description could be erected in the river, but by special petition to the Crown, an opportunity would be afforded of exacting an equivalent from the individual in erection of locks or some work useful to the community.

I have the honor to be, etc.,

(Signed) ARTHUR GIFFORD.

Major Hillier, etc.
A True Copy.—J. Baby.

D. No. 9.

The most formidable obstruction to the navigation of the River Saint Lawrence under present circumstances is that presented by the Lachine Rapids, or rather a continuation of rapids and shoals from that place to the Port of Montreal being such as to cause at some seasons the most imminent danger in the descent, and, at all seasons, to render transportation upwards by water impossible, light boats being taken up only with great difficulty.

It is not, however, necessary to go into any minute description of these difficulties, as the progressive state of advancement of the Lachine Canal justifies a hope that effectual and permanent relief will be afforded from that most important work almost as soon as any great improvement could be effected in the main channel of this river.

Proceeding upwards, after leaving Lachine, the first obstruction arises from the neglected state of the approach to the small lock at the Split Rock, both above and below it, where, for the want of depth of water, or rather from the occasional intervention of large but loose rocks it becomes necessary rather to lift than float the boats into the lock—many hours are necessarily spent in this difficult operation, and not infrequently boats grounding on one of those rocks swing, from the strength of the current after passing the lock, and are precipitated over the immense rock and gush of water, which this lock is meant to save them from, besides the double trouble of again passing the lock. An obvious and simple remedy offers itself for this, being the removal of the intervening rocks, or excavating, if necessary, at the entrance to and egress from the lock, and a further extension into the river of the pier or dam which collects the water for the supply of the locks.

The next obstacle in the progress upwards and that next in magnitude to the Lachine Rapids is what is generally called the Cedars; this, like the space between Montreal and Lachine, is a carrying place of seven miles in extent, where property in its transit to the upper country is exposed to the injury (which experience has proved to be very considerable) attendant on landing, reloading, carting in bad

weather and bad roads, etc., besides the additional expense; while the copious and inexhaustible stream of the Saint Lawrence is running parallel to the road, and capable with little expense of being improved so as to render unnecessary any recourse to land carriage whatever.

This chain of obstructions commences at a point projecting into the River and into the Rapids, where a Seignorial Mill is situated, commonly called the Mill Point, immediately at the end of which there is a considerable descent in the bed of the current and proportionable rapidity. There are likewise many rocks in the fair way and on each side of the point, insomuch, that a loaded boat cannot possibly pass. There are two Bays, one above and one below this point, which with a deep hollow in the intervening ground appears naturally formed for a junction by water. It is therefore suggested that a cut should be made here. The construction of regular locks being expensive, it is humbly conceived that a communication might be made upon the principle of a running canal with devised stops, a mode which several engineers approve of. Some persons compute the expense of this cut at not more than £500, whereas, large sums might from time to time be expended on the extremity of the point, without being of much practical or lasting benefit to the navigation.

After passing a small bay above this point we come again to swift water, and opposite to Hog Island, which lies nearly in the fair way of the River, and before taking leave of it, it will be proper to advert to the obstructions in descending the River with Rafts, the main channel for which as well as Boats downwards is on the south side of the Island, the depth of water being greater than in the other, but the Island unhappily dissects the River in so peculiar a way that the greatest exertions and the ablest pilots cannot sometimes save the Rafts from grounding on it. The dangers of Hog Island are proverbial among persons engaged in the Lumber Trade throughout the country. To obviate this obstruction to the descent of Rafts, it is proposed to construct a Weir from the upper end of the Island, obliquely towards the north shore, including an angle of about 30 degrees with the direction of the current, so as to give a decidedly superior impetus and inclination of stream to the Raft Channel, yet leaving sufficient flow near to the North Shore as not to interfere with the channel of the boats upwards. This appears to be very practicable, and would be better understood with the assistance of a drawing. The materials most proper to construct the Weir of may be best judged of by professional men.

As before observed, after passing the small bay above the Mill point, we come again to swift water, which extends from thence to the small point near which is situated the Village of the Cedars. Along the whole of this distance the River runs with vast rapidity and upon almost a perfect inclined plane, but much of the latter circumstance favors the passage of Boats; the numerous loose rocks, ruggedness of the banks and shores, with the strength of the current, render it a very difficult operation even to bring up light boats. A canal along the whole of this is practicable and much to be desired, but keeping in view the amount of the fund in contemplation to apply it is considered that the present boat channel upwards should be deepened as close to the water edge as possible by removing the rocks with which it is now crowded, the whole of the bottom being composed of loose stones and gravel; by which means it is conjectured that a clear fair way of two and a half or three feet might with ease be obtained in depth, which would be quite sufficient for an upward passage. In addition to this a good smooth tow-path should be made. These objects being attended to, with the proposed cut at the Mill point, and

perhaps a partial clearing of the channel in a few intermediate places, there does not appear to be any hindrance to a loaded boat going up with the assistance of horses, as at present used for empty boats, thereby avoiding the present resort to land carriages which, upon a moderate calculation, costs Upper Canada at the Cedars 6d. per hundred weight on ¾ of the whole of her importations besides the exposure to damage.

Near to the Village of the Cedars there is a turn or point of the land, where a weir might be constructed, stretching obliquely a short way into the stream by means of which a greater portion of water might be conducted along the shore.

The next obstruction, although one of comparatively small magnitude, is that at "Point au Diable," where the current is very strong and the descent considerable. There being generally a good supply of water here, it is only proposed to construct a small projecting pier at the head of the current, with a capstan on the extremity by which boats might easily be hauled up, and much time saved.

The last place for observation in the Lower Province is the Coteau du Lac, both above and below which there are many rocks and shallows which greatly impede the progress of boats; but none which may not be removed with labor comparatively trifling to the object to be gained; as respects the immediate entrance to the locks and egress therefrom, the same observations will apply as have already been made on the Split Rock Locks, both of which as well as the head of the Cascade Lock appear to require a special survey with a view to their being rendered efficient. The utility of their existence at all in their present state may be questioned. In that at the Coteau there is a manifest error in the construction of the dam as respects the angle it forms with the direction of the stream, which makes the collection of waters at the head of the lock inconsiderable and shallow. While remarking on these locks it is difficult to avoid referring to, and it may be proper to hold in memory in event of future improvements, the contracted plan on which apparently without any object they are built, admitting with difficulty boats of 12 feet and 4 inches in breadth, thereby subjecting the whole water carrying of Upper and Lower Canada to a vessel of particular dimensions. Whereas boats of a greater beam, are more convenient, safe, and profitable. The foregoing are the principal places in the Lower Province which appear to merit an application of a portion of the fund accumulated at Chateauguay.

Referring to the Law of the Lower Province which establishes this tax, it will be unnecessary to go into any description of the obstructions which occur in that part of the River lying in Upper Canada.

Certified,
(Signed) A. W. COCHRAN,
Secretary.

Certified,
(Signed) G. HILLIER.

A true copy,
J. BABY.

E. No. 1.

Montreal, 28th August, 1823.

Sir: The difficulty we have experienced in procuring sufficient information relating to the actual importation into Upper Canada of the Merchandise pre-

viously entered at the Port of Quebec induces me to suggest to you the propriety of representing to the Government of our respective Provinces, that future Arbitrators will find themselves as much in the dark as we have been, unless some measures be taken to ascertain the actual and relative state of the Import Trade of both Provinces. It has been urged on the part of Upper Canada, that the regulations heretofore existing which require entries to be made at Coteau du Lac were continually evaded. And, moreover, that there were so many other routes into Upper Canada that the entries at Coteau du Lac would not under any circumstances afford a correct calculation of the duties which the Upper Province might justly claim. There is no reason to doubt the statements of those facts, and the arguments to be founded upon them are sufficiently evident. I would therefore propose that, instead of a Port of Entry into Upper Canada, an office of entry on exportation from Lower Canada should be established at Montreal and that every article sent to Upper Canada should be minutely entered at that office under a heavy penalty. Everything must pass through Montreal, and Preventive Officers stationed at the head of the LaChine Canal in summer and on two or three of the winter roads to examine the tickets of clearance to be issued from the office at Montreal would probably be sufficient to ensure regular reports being made for the guidance of future Arbitrators.

Something of the kind is absolutely necessary, for as matters now stand each Province is very likely to over-estimate its own claims. The Arbitrators have little but conjecture and computation to discuss, and the result of every point in arbitration will inevitably be mutual dissatisfaction.

I have the honor to be, Sir,

Your most obedient humble servant,
(Signed) J. HALE.

The Honorable James Baby.
A true copy,
J. BABY.

E. No. 2.

Montreal, 28th August, 1823.

Sir: I have had the honor to receive your note of this morning, suggesting the expediency of ascertaining for the guidance of future Arbitrators, the actual and relative state of the Import Trade of both Provinces, by means of an Office of Entry on exportation from Lower Canada, established at Montreal.

This being a matter of importance and requiring much consideration, I do not feel myself prepared to express a decided opinion on its merits, and shall therefore lay your communication before the Government of Upper Canada.

In the meanwhile, I beg leave to offer some observations on the subject.

In the event of an Office of Exportation such as you propose being created, Montreal would certainly be a more proper situation for it than Coteau du Lac, especially since the rapid extension of settlements along the southern banks of the Ottawa River will soon add considerably to the trade of Upper Canada, and increase its demand for articles of merchandise.

The difficulty of forming a just estimate of the trade of Upper Canada by means of imports has been proved to be very great, by the experience of twenty years under the system of drawbacks adopted in 1797, and the acknowledged failure and abandonment of that system may justly excite doubts respecting the result of any project of a similar nature.

It is therefore my present impression that though an establishment such as that now proposed might in a certain degree facilitate the proceedings of future Arbitrators when they are called on to fix a new proportion of Revenue for Upper Canada, the relative population of the Provinces would probably furnish a less expensive and more satisfactory rule of decision. If, in adopting it, some duties might be found to be paid principally or wholly by either Province, other duties could be so devised and regulated as to reduce any particular proportion to the proper standard, and cause the Revenue Laws in the aggregate to bear equitably on both Provinces.

It may be added that Upper Canada will next year have a claim for a proportion of Duties on articles consumed at Quebec, which is equally her Port as that of Lower Canada. A large part of the shipping which annually visits Quebec has no other object than to carry away the produce of Upper Canada, and the revenue derived from this source, being partly created by her trade, should also be shared by that Province.

I have the honor to be, Sir,
Your most obedient humble servant,
(Signed) J. BABY,

To the Honorable J. Hale,
Arbitrator for Lower Canada.

A true copy,
J. BABY.

Mr. Hagerman, seconded by Mr. Hamilton, of Lincoln, moves that an humble Address be presented to His Excellency the Lieutenant Governor, thanking him for his gracious Messages of this day, transmitting a copy of a communication from the late Commissioner in England, who had been entrusted with the charge of purchasing the most approved machinery for the dressing of hemp, as authorized by the Provincial Act. Also the Report of the Arbitrators appointed under the Canada Trade Act, for deciding the amount of arrears of Revenue due to Upper Canada from the Lower Province. And to assure His Excellency, that this House will not fail to give the recommendation of His Excellency, to place at his disposal a sum of money adequate to the remuneration of the Officers employed in the important duty of conducting the negotiation on the part of this Province, its most serious consideration. Which was carried.

Mr. Hagerman, seconded by Mr. Morris, moves that Messrs. McLean, of Stormont, and Hamilton, of Lincoln, be a Committee to draft an Address pursuant to the Resolutions of this House. Which was ordered.

Mr. Baldwin, seconded by Mr. Wilmot, moves that one hundred copies of the Report of the Arbitrator of the proceedings had before him on the financial affairs of both these Provinces referred to him be printed, together with the documents accompanying the same. Which was ordered.

In amendment, Mr. Gordon, seconded by Mr. Willson, of Wentworth, moves that the word "one" be expunged, and "two" inserted. The original question as amended was then put and carried.

Mr. Hagerman, seconded by Mr. Hamilton, of Lincoln, moves that so much of the Message of His Excellency the Lieutenant Governor as relates to the remuneration to be made to the Officers employed in conducting the negotiations with the Arbitrators of Lower Canada, in respect to the claim for Duties due by that Province to Upper Canada, be referred to the Committee of the Whole on Supply. Which was carried.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message, and having withdrawn the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have appointed a Committee of three of its Members who will be ready to meet a Committee of the Commons House of Assembly in the Joint Committee Room at twelve o'clock noon to-morrow, to prepare a Representation to His Majesty's Government founded on the Resolution sent up from the House of Assembly dated the twenty-fourth of November, respecting the Importation of Tea into this Province.

Legislative Council Chamber,
2nd December, 1823.

William Dummer Powell, Speaker.

Mr. Jones, of Grenville, seconded by Mr. Bostwick, moves that Messrs. Attorney General, Hagerman, Nichol, Jones, of Leeds, McLean, of Stormont, and Gordon be a Committee to confer with the Committee of the Honorable the Legislative Council upon the Resolutions of this House respecting the importation of Tea. Which was ordered.

Mr. McLean, of Stormont, from the Committee appointed to draft an Address to His Excellency the Lieutenant Governor thanking him for His Gracious Messages of this day, reported a draft, which was received and read the first time. Mr. Hagerman, seconded by Mr. McLean, of Stormont, moves that the Address to His Excellency the Lieutenant Governor be read a second time to-morrow. Which was ordered.

Agreeably to order the House went into Committee on the Bill for the relief of John Putman Clement. Mr. Baldwin in the Chair.

The House resumed. Mr. Baldwin reported the Bill as amended. Ordered that the Report be received.

Mr. Attorney General, seconded by Mr. Bostwick, moves that the Bill for the relief of John Putman Clement be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day the Duty Bill was read the second time.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the House do now resolve itself into a Committee of the Whole on the Intercourse Bill. Which was carried and Mr. McLean, of Stormont, was called to the Chair of the Committee.

The House resumed. Mr. McLean reported the Bill as amended. Ordered that the Report be received.

Mr. Hagerman, seconded by Mr. Jones, of Leeds, moves that the Intercourse Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. Morris gives notice that he will on Thursday next move that the House do resolve itself into a Committee of the Whole to take into consideration the claims of the Clergy of the Church of Scotland, to a portion of the Revenue arising from the Lands set apart for the support and maintenance of a Protestant Clergy within this Province.

Mr. Nichol gives notice that he will on Friday next move for leave to bring in a Bill to repeal the Laws now in force for granting Poundage to the Receiver General and for providing a salary to that Officer for his care of the Public money in lieu thereof.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 3rd December, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Willson, of Prince Edward, seconded by Mr. Wilmot, moves for leave to bring up the Petition of the Inhabitants of the County of Prince Edward. Which was granted and the Petition brought up.

Mr. Hagerman, seconded by Mr. Bostwick, moves for leave to bring up the several Petitions of Thomas Markland and others of the Town of Kingston. Which was granted and the Petitions were brought up.

Mr. Baldwin, seconded by Mr. Ham, moves for leave to bring up the Petition of sundry Inhabitants of the Home and Gore Districts. Which was granted and the Petition brought up.

Agreeably to the order of the day, the Returning Officers' Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. Ruttan, moves that the Returning Officers' Bill do now pass, and that it be entitled "An Act further to continue an Act passed in the Thirty-third Year of his late Majesty's reign, entitled, 'An Act to provide for the appointment of Returning Officers of the several Counties within this Province." Which was carried and the Bill signed.

Mr. Ruttan, seconded by Mr. Ham, moves that Messrs. Jones of Grenville and Bostwick be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act further to continue an Act passed in the thirty-third year of his late Majesty's reign, entitled 'An Act to provide for the appointment of Returning Officers of the several Counties within this Province,'" and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, Clement's Bill was read the third time.

Mr. Nichol, seconded by Mr. Kerr, moves that the Bill for the Relief of John Putman Clement do now pass, and that it be entitled, "An Act for the Relief of John Putman Clement." Which was carried and the Bill signed.

Mr. Ruttan, seconded by Mr. Jones of Grenville, moves that Messrs. Hamilton of Lincoln and Kerr be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act for the relief of John Putman Clement," and request their concurrence thereto. Which was ordered.

The order of the day for the third reading of the Duty Bill being called,

Mr. Casey, seconded by Mr. Ham, moves that the Commercial Intercourse Bill be now recommitted. Which was lost.

The Duty Bill was then read the third time.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the following Clauses be added as Riders to the Intercourse Bill: "And be it further enacted by the authority aforesaid, that all moneys collected under and by virtue of this Act shall be paid into the hands of the Receiver General to and for the uses of His Majesty, His Heirs and Successors . . . for the public uses of this Province, and towards the support of the Civil Government thereof, to be accounted for to His Majesty through the Lords Commissioners of His Treasury for the time being, in such manner as it shall please His Majesty to direct." "And be it further enacted by the authority aforesaid that this Act shall continue in force for and during the term of four years, and from thence to the end of the next ensuing Session of Parliament and no longer."

In amendment, Mr. Ruttan, seconded by Mr. Casey, moves that the Intercourse Bill be recommitted to-morrow.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson of Prince Edward, Clark, Wilmot, Horner, Baldwin, Walsh, White, Pattie, Baby, Ham, Randal, Ruttan, Casey, Crooks.

Nays: Messrs. Jones of Leeds, McLean of Stormont, Gordon, Nichol, Burwell, Willson of Wentworth, Kerr, Hagerman, Jones of Grenville, McDonell, Morris, Shaver, Bostwick, Hamilton of Lincoln.

The question was carried in the affirmative by the casting vote of the Speaker and ordered accordingly.

Agreeably to the order of the day, the Petition from Jonathan Allan and others praying for remuneration for certain grievances complained of was read.

Agreeably to notice, Mr. Jones of Leeds, seconded by Mr. McLean of Stormont, moves that it be resolved, that by the Laws now in force all foreign Protestants born out of the liegance of His Majesty are admissable to become settlers in this Province, and by conforming to the provisions contained in the said laws they may become naturalized subjects of His Majesty, whereby they may be made partakers of all the advantages and privileges which the natural born subjects of His Majesty in this Province do enjoy.

In amendment, Mr. Nichol, seconded by Mr. Jones, of Grenville, moves that after the word "that" in the original motion the whole be expunged and that the words "this House do now resolve itself into a Committee of the whole on the state of the Province" be inserted. Which was carried, and Mr. Willson of Prince Edward was called to the Chair of the Committee. The House resumed.

Mr. Willson reported progress and asked leave to sit again this day. Ordered that the report be received and leave was granted accordingly.

Mr. Nichol, from the Committee to whom was referred the Petition of James Gordon and others, informed the House that the Committee had agreed to report by Bill. Ordered that the report be received and the Bill was read the first time.

Mr. Nichol, seconded by Mr. Gordon, moves that the Welland Canal Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went again into Committee on the state of the Province. Mr. Willson of Prince Edward in the Chair. The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled "An Act to repeal an Act of Parliament made in England in the Twenty-first year of the reign of his late Majesty King James the First, entitled An Act to prevent the destroying and murthering of bastard children," and to make other provisions in lieu thereof, to which he was directed to request the concurrence of the House of Assembly; and the Bill entitled, "An Act to alter and amend an Act passed in the fourth year of his late Majesty's reign entitled, An Act to provide for the erection of a gaol and Court House in and for the Home District," sent up from this House, and to which the Honorable the Legislative Council had made some amendments, which he was also directed to recommend to the concurrence of this House, and having withdrawn, the Bill sent down from the Honorable the Legislative Council entitled, "An Act to repeal an Act of Parliament made in England in the twenty-first year of the reign of his late Majesty King James the First, entitled, 'An Act to prevent the destroying and murthering of bastard children,' and to make other provisions in lieu thereof," was read the first time.

Mr. Ruttan, seconded by Mr. Nichol, moves that the Bill sent down from the Honorable the Legislative Council entitled, "An Act to repeal an Act of Parliament made in England in the twenty-first year of the reign of his late Majesty King James the First, entitled, 'An Act to prevent the destroying and murthering of bastard children,' and to make other provisions in lieu thereof," be read a second time to-morrow. Which was ordered.

The amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to alter and amend an Act passed in the fourth year of his Majesty's reign, entitled, 'An Act to provide for the erection of a Gaol and Court House in and for the Home District,'" were then read as follows: In the Title, Line 1, after "alter" expunge "and." In the Title, after "amend," insert "repeal part of."

Mr. McDonell, seconded by Mr. Morris, moves that the amendments made by the Honorable the Legislative Council in and to the Bill entitled "An Act to alter and amend an Act passed in the fourth year of his Majesty's reign entitled, 'An Act to provide for the erection of a Gaol and Court House in and for the Home District,'" be read a second time to-morrow. Which was ordered.

The House again went into Committee on the State of the Province. Mr. Willson of Prince Edward in the Chair. The House resumed.

Mr. Willson reported progress and asked leave to sit again to-morrow. Ordered that the Report be received and leave was granted accordingly.

The House then adjourned till ten o'clock to-morrow.

Thursday, 4th December, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves for leave to bring up the petition of Alexander McDonell, Esquire, Sheriff of the District of Ottawa. Which was granted and the Petition brought up.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves for leave to bring up the petition of certain Inhabitants of the District of Ottawa. Which was granted and the Petition brought up.

Mr. Hagerman, seconded by Mr. Morris, moves for leave to bring up the petition of John McLean, Esquire, and others. Which was granted and the Petition brought up.

Agreeably to the order of the day, the debate on Mr. Willson's of Wentworth motion of the twentieth of November ultimo, for Committee of the Whole on the existing Code of Criminal Laws, was resumed.

Mr. Willson, of Wentworth, seconded by Mr. Hamilton of Wentworth, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the propriety of making such alterations in the existing Code of Criminal Laws now in force in this Province as may tend the better to equalize the punishment inflicted upon persons offending against the same to the offences committed. Which was carried and Mr. Bostwick was called to the Chair of the Committee. The House resumed.

Mr. Bostwick reported the Committee had risen.

Mr. Attorney General, from the Joint Committee of Conference on the Message of His Excellency the Lieutenant Governor recommending to the Legislature to make some more effectual provision for obtaining a Census of the Population of this Province, reported as follows:

Report of a Joint Committee of Conference on the Message of His Excellency the Lieutenant Governor recommending to the Legislature to make some more effectual provision for obtaining a Census of the Population of this Province.

The Committee are of opinion that the failure in obtaining by the present mode an accurate return of the population of this Province arises from the circumstance that the Town Clerks, whose duty it is at present to ascertain the population, having no other service to perform, which obliges them to visit the householders within their respective precincts, and there being but a small remuneration provided for their obtaining an accurate return, have usually neglected the performance of their duty, and as a knowledge of the state of the population has not been necessary for any district purpose, the omission has passed so frequently unnoticed that the system has become altogether ineffectual.

It appears to the Committee that the duty would be better performed by the assessors, who are under the necessity of actually calling upon every householder, in order to discharge the duties now imposed upon them, which duties, as the receipts of the District Treasurers are altogether dependent upon them, are necessarily more rigidly exacted.

If the Assessors were required to insert columns in their lists for the numbers of males above 16—under 16—females above 16—under 16—and their attestations to their Returns so framed as to exact of them an Oath that they have made their Lists from actual attendance at the several houses within their limits, and that they contain a true and accurate account of the population to the best of their belief—it is thought by the Committee that a Census as accurate as can be expected by any general measure would be obtained.

The Committee consider that a remuneration beyond that given to the assessors for their present duties should be afforded them for the additional duty contemplated, not upon the principle which is generally adopted with respect to the Town Clerks, and which as it measures the payment by the number of souls returned is liable to an obvious exception, but perhaps rather by a proportionate addition to the rate of poundage, which would in a less exceptionable way reward them according to their trouble. The due performance of the Assessors' duties might be enforced by additional penalties, and it might be provided that no remuneration should be paid them for any part of their services until they had delivered in their sworn Returns of Population.

The Committee also took into their consideration the importance of obtaining for present purposes a Census of the Population of the Province by a mode which should render its accuracy undoubted, which might probably be best effected by the appointment of an intelligent person for each district for that particular duty. And it appeared also to the Committee that it might be highly expedient to provide by a similar measure for the taking of an accurate census by an independent officer at stated periods (perhaps once in four years), by which means the correctness of the Assessors' Returns would be ascertained and a perfect census be occasionally procured. Such a provision it seemed to the Committee would be attended with a very considerable expense to the Province, unless it should be thought proper to make it a charge against the respective districts, and whether with this consideration the necessity of such a subsidiary measure in addition to the plan suggested be sufficient to warrant its adoption is respectfully submitted by the Committee to their respective Houses.

JNO. B. ROBINSON.

Chairman of Committee of Conference from the House of Assembly.

Joint Committee Room, December 3rd, 1823.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Report of the Joint Committee on His Excellency's Message upon the subject of obtaining a correct census of the population of this Province be referred to a Committee of the whole house on Saturday next. Which was ordered.

Agreeably to the order of the day, the Highway Amendment Bill was read the second time. Mr. Crooks, seconded by Mr. Ham, moves that the House do now resolve itself into a Committee of the whole on the Highway Amendment Bill. Which was carried and Mr. Jones of Leeds was called to the Chair of the Committee. The House resumed. Mr. Jones reported progress and asked leave to sit again on Saturday next. Ordered that the Report be received, and leave was granted accordingly.

Agreeably to notice, Mr. Hamilton of Lincoln, seconded by Mr. McLean of Stormont, moves for leave to bring in a Bill to encourage the destroying of Wolves in this Province. Which was granted, and the Bill read.

Mr. Hamilton of Lincoln, seconded by Mr. McLean of Stormont, moves that the Bill for the encouraging the destroying of Wolves be read a second time on Saturday next. Which was ordered.

Agreeably to the order of the day, the Methodist Relief Bill was read the second time. Mr. Casey, seconded by Mr. Ham, moves that this House do now resolve itself into a Committee of the whole on the Methodist Relief Bill. Which was carried, and Mr. McMartin was called to the Chair of the Committee. The House resumed. Mr. McMartin reported the Bill as amended. Ordered that the Report be received.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message, and having withdrawn the Speaker read the same as follows:

Mr. Speaker,—The Honorable the Legislative Council have adopted the Report of their Committee of Conference on the Message of His Excellency the Lieutenant Governor recommending to the Legislature to make some more effectual provision for obtaining an accurate Census of the Population of this Province.

WILLIAM DUMMER POWELL, Speaker.

Legislative Council Chamber, 4th December, 1823.

Mr. Casey, seconded by Mr. Ham, moves that the Methodist Relief Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Marriage Confirmation Bill was read the second time.

Mr. Casey, seconded by Mr. Ruttan, moves that the House do on to-morrow resolve itself into a Committee of the whole on the Marriage Confirmation Bill. Which was ordered.

Mr. Baldwin gives notice that he will on Monday next move for leave to bring in a Bill to improve the condition of the Indian Nations resident on the Grand River.

Mr. Willson of Wentworth gives notice that he will on to-morrow move for leave to bring in a Bill to regulate the descent of the Estate of Intestates in this Province.

Mr. Crooks, seconded by Mr. Morris, moves for leave to bring in a Bill on to-morrow on the Resolution of this House for dividing the County of Halton in the District of Gore in this Province. Which was granted.

The House then adjourned till ten o'clock to-morrow.

Friday, 5th December, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day the Methodist Relief Bill was read the third time. Mr. Casey, seconded by Mr. Ham, moves that the Methodist Relief Bill be now recommitted. In amendment, Mr. Nichol, seconded by Mr. Willson of Wentworth, moves that the word "now" in the original question be expunged, and the words "this day three months" be inserted. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Willson (Wentworth), Hamilton (Wentworth), Randal, McDonell, Hamilton (Lincoln).

Nays: Messrs. Jones (Leeds), Gordon, Willson (Prince Edward), Clark, Wilmot, Baldwin, White, Walsh, Horner, Ruttan, Casey, Jones (Grenville). Ham, Kerr, Morris, Shaver, Bostwick.

The question was decided in the negative by a majority of eleven.

The original question was then put and carried. Mr. Gordon was called to the Chair of the Committee.

The House resumed. Mr. Gordon reported the Bill as amended. Ordered that the report be received.

Agreeably to the order of the day the Petition from the Inhabitants of the County of Prince Edward, praying that the said County may be set off into a separate District; the Petition from Thomas Markland, Esquire, and others, praying that the Intercourse Law may not be enacted; that the Limits of the Town of Kingston may be defined; for the amendment of the Police law of the Town of Kingston, and for alteration in the Law authorizing commutation of Statute Labor; and the Petition of sundry Inhabitants of the Home and Gore Districts, praying that a Bill may be passed for the further and more effectual preservation of the Salmon Fishery in the River Credit, were read.

Mr. Willson, of Prince Edward, seconded by Mr. Wilmot, moves that the Petition from the Inhabitants of the County of Prince Edward, praying to be set off as a separate District be referred to a Select Committee; and that Messrs. Nichol, Baldwin, Wilmot and Morris do compose the same, and that they report by Bill or otherwise. Which was ordered.

Mr. Baldwin, seconded by Mr. White, moves that the Petition of sundry Inhabitants of the Home District relative to the preservation of the Salmon Fishery be referred to a Select Committee, and that Messrs. Wilmot and Ruttan do form such Committee. Which was ordered.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the Petitions of Thomas Markland and others, read this day, be referred to Messrs. Kerr and Bostwick as a Select Committee to report by Bill or otherwise. Which was ordered.

Agreeably to the order of the day the Welland Canal Bill was read the second time.

Mr. Nichol, seconded by Mr. Gordon, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the Welland Canal Bill. Which was carried.

Mr. Jones, of Grenville, was called to the Chair of the Committee.

The House resumed. Mr. Jones reported progress and asked leave to sit again on Monday next. Ordered that the Report be received, and leave was granted accordingly.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled "An Act further to continue an Act passed in the Thirty-third year of His Late Majesty's Reign entitled, 'An Act to provide for the appointment of Returning Officers of the several Counties within this Province,'" and the Bill entitled, "An Act for the relief of John Putman Clement," which they had passed without amendment, and withdrew.

Agreeably to the order of the day the Contested Election Bill was read the second time.

Mr. Jones, of Grenville, seconded by Mr. Bostwick, moves that the Contested Election Bill be now referred to a Committee of the whole House. Which was carried and Mr. Hamilton, of Lincoln, was called to the Chair of the Committee.

The House resumed. Mr. Hamilton reported progress and asked leave to sit again on Monday next.

On the question for receiving the report, the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean (Stormont), Gordon, Burwell, Nichol, Kerr, Shaver, Crooks, Jones (Leeds), Morris, McMartin, Jones (Grenville), Bostwick, Ruttan, Hamilton (Lincoln), Attorney General, Hagerman.

Nays. Messrs. Randal, Willson (Wentworth), Clark, Hamilton (Wentworth), Wilmot, Baldwin, Walsh, Baby, White, Pattie, Horner, Casey, Willson (Prince Edward), Ham, McDonell.

The question was carried in the affirmative by a majority of one, the Report received, and leave granted accordingly.

Agreeably to the order of the day the Methodist Relief Bill was read the third time.

Mr. Ruttan, seconded by Mr. Casey, moves that the following be added as a rider:

And be it further enacted by the authority aforesaid, that the Clergymen or Ministers of the People calling themselves Wesleyan Methodists who may now reside within this Province, or who may hereafter reside therein, having in like manner obtained a certificate from the Quarter Sessions as aforesaid, shall have and enjoy all the privileges conferred by this Act in as full and ample a manner, and subject to the same provisions, as they may be enjoyed by those of the Methodist Episcopal Church aforesaid, anything in this Act contained to the contrary notwithstanding. Which was carried.

Agreeably to notice Mr. Nichol, seconded by Mr. Gordon, moves that he have leave to bring in a Bill to alter the Laws now in force granting Poundage to the Receiver General. Which was granted and the Bill read.

Mr. Nichol, seconded by Mr. Gordon, moves that the Receiver General Poundage Bill be read a second time on Tuesday next. Which was ordered.

Mr. Burwell from the Committee to whom was referred the Petition of William Peterson, reported a Bill, which was received and read the first time.

Mr. Hamilton, of Lincoln, seconded by Mr. Randal, moves that the Bill for the relief of William Peterson be read a second time on Wednesday next. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Saturday, 6th December, 1823,

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Crooks, seconded by Mr. Morris, moves for leave to bring up the Petition of Daniel Howell, of the Township of Ancaster. Which was granted and the Petition brought up.

Mr. Gordon, seconded by Mr. Jones, of Leeds, moves for leave to bring up the Petition of sundry Inhabitants of the Western District of this Province. Which was granted and the Petition brought up.

Agreeably to the order of the day the Methodist Relief Bill was read the third time.

Mr. Casey, seconded by Mr. Ruttan, moves that the Bill do now pass and that it be entitled "An Act to authorize Ministers of the Society of Methodists to solemnize Marriage in this Province." Which was carried and the Bill signed.

Mr. Jones, of Leeds, seconded by Mr. Burwell, moves that Messrs. Casey and Ham be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act to authorize Ministers of the Society of Methodists to solemnize Marriage in this Province," and request their concurrence thereto. Which was ordered.

Agreeably to the Order of the day the Petition of Alexander McDonell, Esquire, Sheriff of the Ottawa District, praying for an augmentation of salary; the Petition of the Inhabitants of the Ottawa District praying that a Gaol and Court House may be erected in the Township of Plantaganet; and the Petition of John McLean and others of the Town of Kingston praying for a report of the last clause of the Act of last Session, entitled "An Act vesting in the hands of certain Commissioners therein named all the Stock, Debts, Bonds and Property of the pretended Bank of Upper Canada lately established at Kingston, for the benefit of the creditors of that Institution," were read.

Mr. Jones, of Grenville, seconded by Mr. McMartin, moves that the Petition of Alexander McDonell, Esquire, Sheriff of the District of Ottawa, and also the Petition of sundry Inhabitants of the said District, be referred to Messrs. McLean and Pattie, with power to send for persons and papers, and with leave to report thereon by Bill or otherwise.

In amendment, Mr. Nichol, seconded by Mr. Pattie, moves that the words, "and also the Petition of sundry Inhabitants of the said District," be expunged from the original motion. Which was lost.

On the original question the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Burwell, Randal, Wilmot, McMartin, Baldwin, Walsh, Attorney General, Jones (Grenville), Hamilton (Lincoln), Ham, Crooks, McDonell, Morris, Shaver, McLean (Stormont), Hagerman, Bostwick.

Nays: Messrs. Nichol, Willson, (Prince Edward), Clark, Hamilton (Wentworth), Pattie, White, Horner, Kerr, Ruttan, Casey.

The question was carried in the affirmative by a majority of eight and ordered accordingly.

Mr. Hagerman, seconded by Mr. Shaver, moves that the Petition of John McLean, Esquire, and others be referred to the Committee to whom was referred the Report of the Commissioners for settling the affairs of the late pretended Bank of Upper Canada. Which was ordered.

Agreeably to the order of the day the House went into Committee on the Boundary Line Bill. Mr. Crooks in the Chair.

The House resumed. Mr. Crooks reported the Bill as amended.

On the question for receiving the Report the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Gordon, Burwell, Clark, McMartin, White, Pattie, Ruttan, Casey, Attorney General, Jones (Grenville), Kerr, Ham, Crooks, Morris, Hagerman, Bostwick, Shaver.

Nays: Messrs. Nichol, Willson (Prince Edward), Randal, Hamilton (Wentworth), Walsh, Wilmot, Baldwin, Baby, McDonell.

The question was carried in the affirmative by a majority of nine, and the report was received accordingly.

Mr. Ruttan, seconded by Mr. Kerr, moves that the Boundary Line Amendment Bill be engrossed and read a third time on Tuesday next. Which was ordered.

Agreeably to notice Doctor Baldwin, seconded by Mr. White, moves that it be Resolved, that the Public Accounts laid before this House at the present Session be printed for the use of the Members as early as practicable, and that this Resolution be a standing order of the House in future as to the Public Accounts to be hereafter laid before the Commons House of Assembly. And that two hundred copies of such Accounts be accordingly printed for this purpose at every Session. Which was ordered.

Agreeably to notice Mr. Ruttan, seconded by Mr. Wilmot, moves that it be Resolved, that an humble Address be presented to His Excellency the Lieutenant Governor requesting that His Excellency will be pleased to direct the Commissioners of Internal Navigation to cause a survey to be made by competent persons of the Isthmus between Prequ' Isle Harbor on the Newcastle District and the Head of the Bay of Quinte, and Estimates to be prepared of the sum requisite to connect the same by a Navigable Canal.

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Clark, Wilmot, White, Ruttan.

Nays: Messrs. Burwell, Randal, Hamilton (Wentworth), Horner, Pattie, Casey, Kerr, Shaver, Hagerman, Ham, McDonell, Willson (Prince Edward), Bostwick.

The question was decided in the negative by a majority of nine and lost accordingly.

Agreeably to notice Mr. Ruttan, seconded by Mr. Casey, moves for leave to bring in a Bill in pursuance of the Resolutions of this House on the Division of the Province. Which was granted and the Bill read.

Mr. Ruttan, seconded by Mr. Casey, moves that the Division Bill be read a second time on Tuesday next. Which was ordered.

Agreeably to the order of the day the House went into Committee on the Collectors' Bill. Mr. Shaver in the Chair.

The House resumed. Mr. Shaver reported progress and asked leave to sit again this day three months.

Mr. Baldwin, seconded by Mr. Hamilton of Wentworth, moves that the Report be not now received. The House went again into Committee on the Collectors' Bill. Mr. Shaver in the Chair.

The House resumed. Mr. Shaver reported progress and asked leave to sit again on Tuesday next. Ordered that the Report be received and leave was granted accordingly.

Mr. Morris from the Committee to whom was referred the Kingston Bank Commissioner's Report, informed the House that the Committee had agreed to report by Bill. Ordered that the Report be received and the Bill was read the first time.

Mr. Morris, seconded by Mr. Jones, of Grenville, moves that the Kingston Bank Commissioner's Bill be read a second time on Thursday next. Which was ordered.

The House then adjourned till ten o'clock on Monday next.

Monday, 8th December, 1823.

The House met. Prayers were read. The Minutes of Saturday were read.

Mr. Jones, of Grenville, seconded by Mr. Kerr, moves that the Petition of the Serjeant at Arms be referred to the Committee of Supply. Which was ordered.

Agreeably to the order of the day the House proceeded in the Trial of the Lenox and Addington Election.

The Speaker and following Members were accordingly sworn: Messrs. Pattie, McDonell, McMartin, McLean (Stormont), Shaver, Jones (Grenville), Jones (Leeds), Morris, Hagerman, Casey, Willson (Prince Edward), White, Ruttan, Wilmot, Attorney General, Baldwin, Hamilton (Wentworth), Kerr, Clark, Hamilton (Lincoln), Randal, Nichol, Bostwick, Burwell, Horner, Gordon, Baby, Chisholm and Walsh.

Witness: Mr. William Bayard Smith, Merchant, of Kingston was sworn and examined.

Mr. Jones, of Grenville, seconded by Mr. Kerr, moves that it be Resolved, that sufficient of the allegations set forth in the Petition of John Lake and others, freeholders of the Incorporated Counties of Lenox and Addington, complaining of the undue Return of George Ham, Esquire, to represent the said Counties in the House of Assembly of this Province, have been proved to make void the said Election and that therefore the said Election is void. Which was carried *Nem. Con.*

Mr. Jones, of Grenville, seconded by Mr. McLean, of Stormont, moves that the Speaker do direct the proper Officer to sue out a Writ for the return of a Member of the House of Assembly of this Province to represent the Incorporated Counties of Lenox and Addington, in the place of George Ham, Esquire, whose Election has been declared void. Which was ordered.

Doctor Baldwin, seconded by Mr. Wilmot, moves that it be Resolved, that this House are of opinion that the Returning Officer in adjourning the Poll over any one day within the six prescribed by law for the holding of elections, and in adjourning to any day beyond the said six days, has been guilty of a breach of the Privileges of the Commons House of Assembly; but as it does not appear that the said Returning Officer acted corruptly but rather from a misconception of the Law, this House forbears proceeding against him.

In amendment Mr. Jones, of Leeds, seconded by Mr. Burwell, moves that after the word "Resolved," in the original motion the whole be expunged, and the following inserted, "that in the opinion of this House, the conduct of the Returning Officer at the late Election for the Incorporated Counties of Lenox and Addington in adjourning the Poll from Thursday to Saturday morning and from Saturday to Monday in the week following was improper and illegal, and consequently a breach of the Privileges of this House—and inasmuch as no proof

has been offered to this House that the conduct of the said Returning Officer was corrupt and malicious upon that occasion, no further notice be taken of it." Which was carried.

The original question as amended was then put and carried.

Agreeably to the order of the day the House went into Committee on the Welland Canal Bill. Mr. Jones of Grenville was called to the Chair of the Committee. The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message, and having withdrawn the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council request a Conference with the Commons House of Assembly on the subject matter of the Bill entitled "An Act to reduce into one Act the several Statutes of this Province, respecting the Election of Members of the House of Assembly, and the qualification of Voters and Candidates at such Elections, and also to provide against fraud in obtaining qualifications to vote at Elections." The Legislative Council have for that purpose appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at 12 o'clock noon to-morrow.

WILLIAM DUMMER POWELL, Speaker.

Legislative Council Chamber,
8th December, 1823.

Mr. Hagerman, seconded by Mr. Kerr, moves that Messrs. Attorney General, Jones, of Grenville, Nichol and Baldwin be a Committee to meet the Committee of the Honorable the Legislative Council on the subject of the Bill entitled "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly, and the qualification of Voters and Candidates at such Elections, and also to provide against fraud in obtaining qualifications to vote at Elections." Which was ordered.

Mr. Hagerman, seconded by Mr. Kerr, moves that Messrs. McMartin and Baby be a Committee to inform the Honorable the Legislative Council that this House has agreed to the Conference requested on the Bill entitled "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly, and the qualification of Voters and Candidates at such Elections and also to provide against fraud in obtaining qualifications to vote at Elections." Which was ordered.

The House went again into Committee on the Welland Canal Bill. Mr. Jones, of Grenville, in the Chair.

The House resumed. Mr. Jones reported the Bill as amended.

Mr. Nichol, seconded by Mr. Randal, moves that the Report be not received.

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Hamilton (Wentworth), Randal, Hamilton (Lincoln).

Nays: Messrs. Jones (Leeds), Burwell, Wilmot, Willson (Wentworth), Clark, Chisholm, McMartin, Baldwin, Willson (Prince Edward), White, Kerr, Hagerman, Casey, Ruttan, McDonell, Attorney General, Morris, Gordon, McLean (Stormont), Jones (Grenville), Bostwick.

The question was decided in the negative by a majority of seventeen and lost accordingly.

On the question for receiving the Report being put the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Burwell, Wilmot, Willson (Wentworth), Clark, Chisholm, McMartin, Baldwin, Wilson (Prince Edward), White, Kerr, Hagerman, Casey, Ruttan, McDonell, Attorney General, Morris, Gordon, McLean (Stormont), Bostwick, Jones (Grenville).

Nays: Messrs. Nichol, Hamilton (Wentworth), Randal, Hamilton (Lincoln),

The question was carried in the affirmative by a majority of seventeen, and the Report received accordingly.

Mr. Jones, of Leeds, seconded by Mr. Burwell, moves that the Welland Canal Bill be engrossed and read a third time on Wednesday next.

In amendment Mr. Nichol, seconded by Mr. Hamilton, of Wentworth, moves that after the word "time" in the original motion the remainder be expunged, and the words "this day three months" be inserted. Which was lost.

The original question was carried and ordered.

Mr. Attorney General from the Committee to whom was referred the Petition from the Presbyterians of York reported a Bill for their relief, which was received and read the first time.

Mr. Baldwin, seconded by Mr. Wilmot, moves that the Presbyterian purchase Bill be read a second time on Wednesday next. Which was ordered.

Mr. Hagerman, seconded by Mr. Kerr, moves that he have leave to bring in a Bill relative to the Probate Court and Surrogate Courts in this Province. Which was granted and the Bill read.

Mr. Hagerman, seconded by Mr. Hamilton, of Lincoln, moves that the Probate and Surrogate Bill be read a second time on Friday next. Which was ordered.

Agreeably to the order of the day the House went into Committee on the Shop License Bill.

Mr. Wilmot was called to the Chair. The House resumed. Mr. Wilmot reported progress and asked leave to sit again to-morrow. Ordered that the report be received and leave was granted accordingly.

Mr. Nichol gives notice that he will, on Thursday next, move for leave to bring in a Bill to lower the Duty on Billiard Tables.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 9th December, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Hagerman, seconded by Mr. McDonell, moves for leave to bring up the Petition of the Magistrates of the Midland District. Which was granted and the Petition brought up.

Agreeably to the order of the day, the Boundary Line Bill was read the third time.

Mr. Nichol, seconded by Mr. McDonell, moves that the Boundary Line Bill be recommitted this day three months. Which was lost.

Mr. Morris, seconded by Mr. Hagerman, moves that the Bill do now pass and that it be entitled "An Act to repeal part of and extend the provisions of an Act passed in the thirty-eighth year of His late Majesty's Reign, intituled An Act to ascertain and establish on a permanent footing the Boundary Lines of the different Townships of this Province." On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Burwell, Gordon, Chisholm, Kerr, White, Pattie, Casey, McLean (Stormont), Hagerman, Morris, Shaver, Bostwick.

Nays: Messrs. Nichol, Willson (Wentworth), Hamilton (Wentworth), Wilmot, Walsh, McDonell.

The question was carried in the affirmative by a majority of seven and ordered accordingly.

Mr. Jones of Leeds, seconded by Mr. Gordon, moves that Messrs. McLean of Stormont and Burwell be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to repeal part of and extend the provisions of an Act passed in the thirty-eighth year of His late Majesty's Reign entitled, 'An Act to ascertain and establish on a permanent footing the Boundary Lines of the different Townships of this Province,'" and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petition from Daniel Howell praying for a support for Elizabeth Shackleton, daughter of the late John Shackleton, who died of a wound received in the Service during the late War, and the Petition from the Western District were read.

Mr. Gordon, seconded by Mr. Willson of Wentworth, moves that the Petition from the Western District be referred to a Select Committee to be composed of Messrs. Attorney General, Nichol, Burwell and Jones of Leeds, and that they be directed to report thereon. Which was ordered.

Agreeably to notice Mr. Casey, seconded by Mr. Hagerman, moves for leave to bring in a Bill pursuant to a Resolution of this House to declare the Incorporated Counties of Lenox and Addington separate and distinct Counties. Which was granted and the Bill read.

Mr. Casey, seconded by Mr. Hagerman, moves that the Lenox and Addington Division Bill be read a second time on Thursday next. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Tavern License Bill.

Mr. Attorney General in the Chair. The House resumed. Mr. Attorney General reported progress and asked leave to sit again to-day. Ordered that the report be received and leave was granted accordingly.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor thanking him for His Gracious Messages communicating Arbitrators' Report and Letter from Commissioners respecting Hemp Machinery was read the second time.

Mr. Hagerman, seconded by Mr. Shaver, moves that the address to His Excellency the Lieutenant Governor be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Intercourse Bill. Mr. McLean of Stormont in the Chair. The House resumed. Mr. McLean reported progress and asked leave to sit again to-day. Ordered that the Report be received and leave was granted accordingly.

Mr. Attorney General from the Committee to confer with the Committee of the Honorable the Legislative Council on the subject matter of the Bill, entitled "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly, and the qualification of voters and candidates at such elections, and also to provide against fraud in obtaining qualifications to vote at elections," reported as follows:

The Committee appointed on the part of this House to confer with the Committee of the Honorable the Legislative Council upon a Bill sent up from this House, "to reduce into one Act of Parliament the several Statutes of this Province, respecting the Elections of Members to serve in the House of Assembly, and defining the qualifications of Voters and Candidates at such Elections, and to prevent fraud in voting at Elections of Members to the House of Assembly," met the Committee of the Honorable the Legislative Council in the Joint Committee Room, and were informed by them that the object of the conference was to acquaint the House of Assembly that certain amendments in the Preamble and Title of the Bill appeared to the Honorable the Legislative Council to be necessary in order that the same might correspond with the provisions in the body of the Bill as required by the Royal Instructions, which amendments as explained by the Committee of Conference did not affect any of the Enactments of the Bill, but were merely alterations in form.

Agreeably to the order of the day, the House went into Committee on the Intercourse Bill. Mr. McLean of Stormont in the Chair. The House resumed. Mr. McLean reported the Bill as amended. Ordered that the report be received.

The Cashier of the Bank of Upper Canada appeared at the Bar and presented a Return in conformity to the order founded on the Resolution of this House of the 25th ultimo, which was read as follows:

General Statement of the affairs of the Bank of Upper Canada on Monday the 8th day of December, 1823, as submitted in compliance with a Resolution of the Honorable the Commons House of Assembly, agreeable to the 23rd Section of the Act of Incorporation.

		Currency. £	s.	d.
Funds	£8,056 4 11			
Property	132 17 7			
		8,189	2	6
Capital Stock		12,155	12	6
Debts due to the Bank		31,525	4	5
Debts due by the Bank		11,466	2	11
Bank Notes in circulation		26,699	15	0
Specie in the Vault		10,523	6	3

Bank of Upper Canada, York, 8th December, 1823.

WM. ALLAN, President.
THOS. G. RIDOUT, Cashier.

Personally appeared before the Honorable William Campbell, one of the Judges of His Majesty's Court of King's Bench, William Allan, President of the Bank of Upper Canada, and Thomas Gibbs Ridout, Cashier of the said Bank, and made oath that the within statement of the affairs of the said Bank are just, true, and correct to the best of their knowledge and belief.

Sworn before me at York, this
9th day of December, 1823.
Wm. Campbell, J.

WM. ALLAN, President.
THOS. G. RIDOUT, Cashier.

Mr. Attorney General, seconded by Mr. Jones of Leeds, moves that the representation signed by the President of the Bank of Upper Canada and annexed to the report made by the said President and Cashier, in conformity to their Charter, and to the requisition of this House, not having been called for by this House, or required to be made by their Charter, has been improperly transmitted, and that the same be not entered upon the Journals. Which was carried.

Mr. Hagerman, seconded by Mr. McDonell, moves that the Intercourse Bill be engrossed and read a third time on Thursday. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 10th December, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Morris, seconded by Mr. Shaver, moves for leave to bring up the Petition of Grant Powell, Esquire, the Clerk of this House. Which was granted and the Petition brought up.

The Order of the day for the third reading of the Welland Canal Bill being read,

Mr. Attorney General, seconded by Mr. McDonell, moves that the Welland Canal Bill be now recommitted. Which was carried.

Mr. Horner was called to the Chair of the Committee. The House resumed. Mr. Horner reported the Bill as amended. Ordered that the Report be received.

Mr. Attorney General, Seconded by Mr. McLean of Stormont, moves that the Welland Canal Bill be engrossed and read a third time this day. Which was ordered.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor was read the third time, passed and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We, His Majesty's most dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to return our thanks to Your Excellency's gracious message transmitting a copy of a communication from the late Commissioner in England who had been entrusted with the charge of purchasing the most approved machinery for the dressing of hemp as authorized by the Provincial Act. And also the report of the Arbitrators appointed under the Canada Trade Act for deciding the amount of arrears of revenue due to Upper Caniada from the Lower Province. And we beg to assure your Excellency that we will not fail to take into our most serious consideration the recommendation to place at your Excellency's disposal a sum of money adequate to the remuneration of the officers employed in the important duty of conducting the negotiations on the part of this Province.

Commons House of Assembly,
9th December, 1823. LEVIUS P. SHERWOOD, Speaker.

Mr. Hagerman, seconded by Mr. McDonell, moves that Messrs. Gordon and Burwell be a Committee to wait on His Excellency the Lieutenant Governor with the address of this House, to know when His Excellency will be pleased to receive the same, and to present it. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Tavern License Bill. The Attorney General in the Chair. The House resumed. The Attorney General reported the Bill as amended. Ordered that the report be received.

Mr. Attorney General, seconded by Mr. McDonell, moves that the Tavern License Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. Attorney General, seconded by Mr. McDonell, moves that a free conference be requested with The Honorable the Legislative Council on the subject matter of a Bill sent up from this House entitled, "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly and the qualifications of Voters and Candidates at such Elections, and also to provide against fraud in obtaining qualifications to vote at Elections," and that Messrs. Willson of Prince Edward and Clark be a Committee to request the said conference. On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Burwell, Nichol, Gordon, Willson (Wentworth), Walsh, McMartin, Kerr, Ruttan, Casey, Hagerman, McDonell, Chisholm, Clark, Crooks, Attorney General, Morris, McLean (Stormont), Bostwick, Shaver.

Nays: Messrs. Randal, Pattie, Hamilton (Wentworth), Wilmot, Baldwin, White, Horner, Baby.

The question was carried in the affirmative by a majority of twelve and ordered accordingly.

Agreeably to the order of the day, the House went into Committee on the report of Joint Committee of Conference on His Excellency's Message relating to Population returns.

Mr. Casey was called to the Chair. The House resumed. Mr. Casey reported that the Committee had agreed to two Resolutions which he was directed to submit for the adoption of the House. Ordered that the Report be received and it was

Resolved, that it is the opinion of this House that that part of the report of the Joint Committee of Conference upon the message of His Excellency the Lieutenant Governor respecting the population of this Province which recommends that provision be made for taking the census annually by the assessors appointed under the existing laws, be concurred in.

Resolved, that it is the opinion of this House that provision be made for giving additional remuneration to the Assessors for the Duties intended to be imposed upon them.

Mr. Attorney General, seconded by Mr. McDonell, moves that a Select Committee to appointed to frame a Bill in conformity to the report of the Joint Committee of Conference upon His Excellency The Lieutenant Governor's Message, respecting the obtaining a census of the population of this Province, so far as the same has been adopted by this House, and the several resolutions of this House in respect to the said report and that Messrs. Hagerman, McLean of Stormont, and Jones of Leeds, compose the said Committee. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Thursday, 11th December, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Welland Canal Bill was read the third time.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the Welland Canal Bill be now recommitted. Which was carried and Mr. Ruttan was called to the Chair of the Committee. The House resumed. Mr. Ruttan reported the Bill as amended. Ordered that the Report be received.

Mr. Attorney General, seconded by Mr. McLean of Stormont, moves that the Welland Canal Bill be engrossed and read a third time this day. Which was ordered.

Agreeably to the order of the day, the Intercourse Bill was read the third time.

Mr. Hagerman, seconded by Mr. McDonell, moves that the Intercourse Bill do now pass and that it be entitled, "An Act further to regulate by Law, the Commercial Intercourse of the Province of Upper Canada with the United States of America." Which was carried and the Bill signed.

Mr. Hagerman, seconded by Mr. McDonell, moves that Messrs. Morris and Walsh be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to repeal part of, continue and amend the Laws now in force the Province of Upper Canada with the United States of America," and to request the concurrence of that Honorable Body thereto. Which was ordered.

Agreeably to the order of the day, the Tavern License Bill was read the third time.

Mr. Hagerman, seconded by Mr. McDonell, moves that the Tavern License Bill do now pass, and that it be entitled, "An Act to repeal part of, continue and amend the Laws now in force imposing a duty on Licenses to Inn-keepers within this Province." Which was carried, and the Bill signed.

Mr. Hagerman, seconded by Mr. McDonell, moves that Messrs. Morris and Walsh be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to repeal part of, continue and amend the Laws now in force imposing a Duty on Licenses to Innkeepers within this Province," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petition from the Justices of the Peace for the Midland District, praying that an Act may be passed authorising them to obtain an additional Loan of One Thousand Pounds to aid in the erection of a Gaol and Court House in said District was read.

Mr. Hagerman, seconded by Mr. McDonell, moves that he have leave to bring in a Bill founded on the Petition of the Magistrates of the Midland District. Which was granted.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a message, and having withdrawn the Speaker read the same as follows:

Mr. Speaker,—The Honorable The Legislative Council have agreed to a free Conference with the Commons House of Assembly on the subject matter of the Bill entitled, "An Act to reduce into one Act the several Statutes of this Province respecting the election of Members of the House of Assembly, and the qualification of Voters and Candidates at such Elections, and also to provide against fraud in obtaining qualifications to vote at Elections"; and have appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at 3 o'clock p.m. to morrow.

Legislative Council Chamber,
10th December, 1823. WM. DUMMER POWELL, Speaker.

Mr. Attorney General, seconded by Mr. McDonell, moves that Messrs. Baldwin, Morris, Hagerman and McLean of Stormont be a Committee of Conference to confer with the Honorable the Legislative Council upon the Bill entitled, "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly, and the qualification of Voters and Candidates at such Elections, and also to provide against fraud in obtaining qualifications to vote at Elections." Which was ordered.

Mr. Morris, seconded by Mr. Crooks, moves that this House do now resolve itself into a Committee of the whole to consider the claims which the Clergy of the Church of Scotland have to a participation in the benefits arising from the Lands set apart for the support of a Protestant Clergy within this Province. On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Nichol, Gordon, Willson (Wentworth), Randal, Clark, Hamilton (Wentworth), Wilmot, Baldwin, Walsh, White, Pattie, McMartin, Horner, Ruttan, Casey, Shaver, Chisholm, McDonell, Kerr, Crooks, Morris, McLean of Stormont, Burwell, Bostwick.

Nays: Messrs. Attorney General, Hagerman.

The question was carried in the affirmative by a majority of twenty-three and Mr. Gordon was called to the Chair of the Committee. The House resumed. Mr. Gordon reported progress and asked leave to sit again to-day. Ordered that the report be received and leave was granted accordingly.

Agreeably to the order of the day, the Welland Canal Bill was read the third time.

Mr. Gordon, seconded by Mr. Burwell, moves that the Bill do now pass and that it be entitled, "An Act to incorporate certain persons therein mentioned under the style and Title of the Welland Canal Company." Which was carried and the Bill signed.

Mr. Gordon, seconded by Mr. Willson of Wentworth, moves that Messrs. Attorney General and Burwell be a Committee to carry up to The Honorable the Legislative Council the Bill entitled, "An Act to incorporate certain persons therein mentioned under the Style and Title of the Welland Canal Company," and to request their concurrence thereto. Which was ordered.

The House went again into Committee on Clergy Claims. Mr. Gordon in the Chair. The House resumed. Mr. Gordon reported progress and asked leave to sit again to-morrow. Ordered that the report be received and leave was granted accordingly.

The House then adjourned till ten o'clock to-morrow.

Friday, 12th December, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. White, seconded by Mr. Jones of Leeds, moves for leave to bring up the Petition of the Inhabitants of the County of Hastings, and the Township of Ameliasburgh. Which was granted and the Petition brought up.

Mr. Jones of Leeds, seconded by Mr. Burwell, moves for leave to bring up the Petition of Alexander Morris and others of the District of Johnstown. Which was granted and the Petition brought up.

Mr. Jones of Leeds, seconded by Mr. Willson of Wentworth, moves for leave to bring up the Petition of William Bergin and others of the Town of York. Which was granted and the Petition brought up.

Agreeably to the order of the day, the Petition of Grant Powell, Esquire, Clerk of this House, praying to be restored to the salary granted him in 1816 was read.

Mr. Jones of Grenville, seconded by Mr. Casey, moves that the Petition of Grant Powell, Esquire, Clerk of this House, be referred to the Committee of supply. Which was ordered.

Agreeably to the order of the day, the Bill sent down from the Honorable the Legislative Council entitled "An Act to repeal an Act of Parliament made in England in the twenty-first year of the reign of his late Majesty King James the First, entitled, 'An Act to prevent the destroying and murthering of Bastard Children,' and to make other provisions in lieu thereof," was read the second time.

Mr. Jones of Grenville, seconded by Mr. Casey, moves that the Bill sent down from the Honorable the Legislative Council, entitled, "An Act to repeal an Act of Parliament made in England in the Twenty-first year of the Reign of his late Majesty King James the First, entitled, 'An Act to prevent the destroying and murthering of Bastard Children,' and to make other provisions in lieu thereof," be now referred to a Committee of the whole house. Which was carried, and Mr. Clark was called to the Chair of the Committee. The House resumed. Mr. Clark reported some amendments to the Bill. Ordered that the Report be received, and the Amendments made in and to the Bill sent down from the Honorable the Legislative Council, entitled, "An Act to repeal an Act of Parliament made in England in the Twenty-first year of the Reign of his late Majesty King James the First, entitled, 'An Act to prevent the destroying and murthering of Bastard Children,' and to make other provisions in lieu thereof," were read as follows:

In the Title, Line 1, after "to" expunge "repeal" and insert "prevent the operation in this Province of,"

Press 1, Line, 12, after "Act," insert, "no clause, matter or thing in."

Press 1, Line 13, expunge the whole line and insert "shall extend to or be in force in this Province, anything in the said recited Act of the Parliament of Great Britain passed in the fourteenth year of his late Majesty's reign, or in a certain Act of the Parliament of this Province, passed in the fortieth year of his late Majesty's reign, entitled, 'An Act for the further introduction of the Criminal Law of England, in this Province, and for the more effectual punishment of certain offenders to the contrary notwithstanding.'" "And be it further enacted by the authority aforesaid."

Press 2, Line 1, after "to," expunge the remainder of the Clause, and insert, "sentence such prisoner to punishment in their discretion, as in cases of a misdemeanour."

The amendments were then severally put and carried.

Mr. Jones of Grenville, seconded by Mr. Willson of Wentworth, moves that the Amendments made to the Bill sent down from the Honorable the Legislative Council entitled, "An Act to repeal an Act of Parliament made in England in the twenty-first year of the Reign of his late Majesty King James the First entitled, 'An Act to prevent the destroying and murthering of Bastard Children,' and to make other provisions in lieu thereof," be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day the Amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to alter and amend an Act passed in the fourth year of his Majesty's reign entitled, An Act to provide for the Erection of a Gaol and Court House in and for the Home District" were read the second time as follows: In the Title, Line 1, after "alter," expunge "and." After "amend," insert "and repeal part of."

Mr. Morris, seconded by Mr. Shaver, moves that the Amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to alter and amend an Act passed in the fourth year of his Majesty's reign entitled, 'An Act to provide for the Erection of a Gaol and Court House in and for the Home District,'" be concurred in. Which was carried and the Amendments were signed by the Speaker.

Mr. Hagerman, from the free Conferences of both Houses on the subject matter of some amendments proposed by the Honorable the Legislative Council in and to the Bill sent up from this House entitled, "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly and the qualification of Voters and Candidates at such Elections, and also to provide against fraud in obtaining qualifications to vote at Elections," reported as follows:

The Committee of this House appointed to confer with the Committee of Conference from the Honorable the Legislative Council on the subject of some amendments proposed to be made by that Honorable body to the Bill entitled, "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly, and the qualification of Voters and Candidates at such Elections, and also to provide against fraud in obtaining qualifications to vote at Elections," report that the amendments considered necessary by the Legislative Council are as follows: In the Preamble of the Bill to expunge the words, "to reduce into one Act," and insert the word "repeal"; after the word "elections," also in the Preamble, to insert the words, "and to reduce the several provisions thereof with some amendments into one Act." In the title of the Bill to expunge the words "reduce into one Act" and insert "repeal"—and after the word "election," insert "and to reduce the provisions thereof with some amendments into one Act." Which Amendments the Committee of this House agreed to recommend the adoption of.

Mr. Morris, seconded by Mr. Willson of Prince Edward, moves that Messrs. McDonell and Shaver be a Committee to acquaint the Honorable the Legislative Council that this House have concurred in the Amendments made by them in and to the Bill entitled, "An Act to alter and amend an Act passed in the fourth year of His Majesty's reign entitled, 'An Act to provide for the Erection of a Gaol and Court House in and for the Home District.'" Which was ordered.

Agreeably to notice, Mr. Willson of Wentworth, seconded by Mr. Hamilton of Wentworth, moves for leave to bring in a Bill to regulate the Descent of the Estates of Intestates in this Province. Which was granted, and the Bill read.

Mr. Willson of Wentworth, seconded by Mr. Hamilton of Wentworth, moves that the Intestate Estates Bill be read a second time on Monday next. Which was ordered.

Agreeably to the order of the day, the Halton Division Bill was read the first time. Mr. Crook, seconded by Mr. Morris, moves that the Bill for dividing the County of Halton be read a second time on Monday next. Which was ordered.

Agreeably to leave granted on the 11th instant, Mr. Hagerman brought in a Bill founded on the Petition of the Magistrates of the Midland District, which was read the first time.

Mr. Hagerman, seconded by Mr. Jones of Leeds, moves that the Midland District Loan Bill be read a second time on Monday next. Which was ordered.

Agreeably to the order of the day the House went into Committee on the Highway Amendment Bill. Mr. Jones of Leeds in the Chair.

The House resumed to receive Messages from His Excellency the Lieutenant Governor.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor several Messages and Documents accompanying, and having withdrawn the Speaker read the following:

P. MAITLAND.

The Lieutenant Governor transmits to the House of Assembly copies of the Accounts of certain District Treasurers received since his last Message upon the subject.

12th December, 1823.

P. MAITLAND.

The Lieutenant Governor transmits to the House of Assembly copies of such Assessments and Population Returns of the respective districts as have been received since the last Session of the Provincial Legislature.

12th December, 1823.

P. MAITLAND.

The Lieutenant Governor transmits for the consideration of the House of Assembly a Petition from the Inhabitants of the Townships of West Gwillimbury and Tecumseh for aid in the Erection of a Bridge.

12th December, 1823.

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major-General Commanding His Majesty's Forces therein, etc.

The Petition of the Inhabitants of West Gwillimbury and Tecumseh, humbly sheweth.—Your Petitioners humbly beg leave to represent to Your Excellency the serious inconveniences under which they labor in consequence of there being no road from the above townships to any mill or market.

That your Petitioners are now forced to cross a marsh of nearly two miles in width, and which is constantly covered with water (at the imminent risk of their health and lives) on foot, it being impassable except in the winter season for horses or oxen, or to go in boats by the Holland River, making the distance from fifteen to twenty miles further to the nearest mill. That your Petitioners did in March last apply to the Quarter Sessions for a surveyor to examine the land, and lay out a road in the most eligible situation to connect the above townships with Yonge Street, which was accordingly done; and a direct road from the Seventh Concession of West Gwillimbury to intersect Yonge Street about two miles south of Holland Landing was surveyed—the distance being somewhat short of four miles—that the Road contains a marsh including the west branch of the Holland River of about three-quarters of a mile in width—that your Petitioners endeavored by means of a subscription to raise funds to enable them to causeway the marsh and build a bridge over the river, but in consequence of the inhabitants of these townships being new settlers, and many of them poor, a sum very far short of what will be required to carry into effect this very desirable object could only be obtained—that the ordinary statute labor would not for years, if indeed ever, be adequate to complete the Road—that the winter is the only season owing to the depth of water on the marsh in which the work can be effected—and that should another year be allowed to elapse without something being done for their relief, many of the inhabitants will be obliged to abandon their lands—that when this

Road is made several of the inhabitants will be not more than six miles from Yonge Street and a good mill—that it will, your Petitioners humbly conceive, contribute to the further and more speedy settlement of not only these townships, but of all those on the Western side of Lake Simcoe, as it must of necessity always be the leading road from Yonge Street to the Head of Kempenfeldt Bay. That your Petitioners, in the hope that assistance would be granted them, have succeeded in opening the road to the marsh on either side. That from the most correct information your Petitioners could obtain the sum of two hundred pounds in addition to the sum raised by subscription will be required to finish the road. That could that sum be obtained there is little doubt but that it would be completed the ensuing winter.

Your Petitioners having thus made known to Your Excellency the grievances which they suffer, humbly hope that Your Excellency will grant them such relief as to our Excellency may seem meet. And as in duty bound, Your Petitioners will ever pray.

Signed by James Sutherland and one hundred and three others.

The House then went again into Committee on the Highway Amendment Bill. Mr. Jones of Leeds in the Chair. The House resumed. Mr. Jones of Leeds reported the Bill as amended. Ordered that the Report be received.

Mr. Crooks, seconded by Mr. Morris, moves that the Road Amendment Bill be engrossed and read a third time on Monday next. Which was ordered.

Agreeably to the order of the day the Wolf Bill was read the second time. Mr. Hamilton of Lincoln, seconded by Mr. Willson of Wentworth, moves that the House do now resolve itself into a Committee of the whole on the Wolf Bill. Which was carried and Mr. Nichol was called to the Chair of the Committee. The House resumed. Mr. Nichol reported progress and asked leave to sit again to-morrow. Ordered that the report be received, and leave was granted accordingly.

The House then adjourned till two o'clock to-morrow.

Saturday, 13th December, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Jones of Leeds, seconded by Mr. Burwell, moves that the Sixth Rule of this House be dispensed with in so far as it relates to the Petition of some of the Inhabitants of the District of Johnstown, praying that they may be enabled to build a bridge over Yonge Creek, and the said Petition be read this day. Which was carried.

Agreeably to the order of the day, the Amendments made to the Bill sent down from the Honorable the Legislative Council, entitled "An Act to repeal an Act of Parliament made in England in the twenty-first year of the reign of his late Majesty King James the First entitled, 'An Act to prevent the destroying and murthering of Bastard Children,' and to make other provisions in lieu thereof," were read the third time, passed, and signed by the Speaker, and are as follows:

In the Title, Line 1, after "to," expunge "repeal," and insert, "prevent the operation in this Province of."

Press 1, Line 12, after "Act," insert, "no clause, matter, or thing in."

Press 1, Line 13, expunge the whole line and insert "shall extend to or be in force in this Province, any thing in the said recited Act of the Parliament of Great Britain passed in the fourteenth year of his late Majesty's reign, or in a

certain Act of the Parliament of this Province passed in the fortieth year of his late Majesty's reign entitled, 'An Act for the further introduction of the Criminal Law of England in this Province, and for the more effectual punishment of certain offenders',' to the contrary notwithstanding. "And be it further enacted by the authority aforesaid."

Press 1, Line 1, after "to" expunge the remainder of the clause, and insert, "sentence such prisoner to punishment in their discretion as in cases of a misdemeanor."

Mr. Jones of Grenville, seconded by Mr. Bostwick, moves that Messrs. McDonell and Willson of Wentworth be a Committee to acquaint the Honorable the Legislative Council that this House has passed the Bill entitled, "An Act to repeal an Act of Parliament made in England in the twenty-first year of the reign of his late Majesty King James the First entitled, 'An Act to prevent the destroying and murthering of Bastard Children,' and to make other provisions in lieu thereof," with some amendments, to which they request the concurrence of that Honorable House. Which was ordered.

The Petition from Alexander Morris and others praying for money to build a bridge was then read. Mr. Jones of Leeds, seconded by Mr. Burwell, moves that the Petition of Alexander Morris and others be referred to the Select Committee to whom was referred the Petition of the Grand and Petit Jurors of the District of Johnstown, and that they report by Bill or otherwise. Which was ordered.

Mr. Jones of Leeds from the Committee to whom was referred the Petition of the Grand and Petit Juries of the District of Johnstown reported a Bill, which was received and read the first time.

Mr. Jones of Leeds, seconded by Mr. Burwell, moves that the Jail and Bridge Bill be read a second time on Tuesday next. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Marriage Confirmation Bill. Mr. Hamilton of Wentworth was called to the Chair. The House resumed. Mr. Hamilton reported the Bill without amendment. On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Willson of Wentworth, Wilmot, Walsh, White, Pattie, Ruttan, Casey, Bostwick, Jones of Grenville, McDonell, Hamilton of Lincoln, Crooks, Morris, Willson of Prince Edward, Shaver.

Nays: Messrs. Jones of Leeds, Hagerman, Hamilton of Wentworth, Baldwin.

The question was carried in the affirmative by a majority of twelve, and the Report was ordered to be received.

Mr. Casey, seconded by Mr. Ruttan, moves that the Marriage Confirmation Bill be engrossed and read a third time on Monday next. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Controverted Election Bill. Mr. Hamilton of Lincoln in the Chair. The House resumed. Mr. Hamilton reported progress and asked leave to sit again on Tuesday next. Ordered that the Report be received and leave was granted accordingly.

Mr. Attorney General gives notice that he will move on Monday next for leave to bring in a Bill to make permanent the several Statutes of this Province under which Lands are made liable to Assessments for the Highways and for other purposes, and to amend the same by authorising the sale of Lands in certain cases for the payment of such assessments.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Message of His Excellency the Lieutenant Governor transmitting the Petition of

the Inhabitants of West Gwillimbury and Tecumseh be referred to the Committee of Supply. Which was ordered.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that an Humble Address be presented to His Excellency the Lieutenant Governor to thank him for his several messages of yesterday, and that Messrs. Jones of Grenville and McDonell be a Committee to prepare the same. Which was ordered.

The House then adjourned till Monday, ten o'clock a.m.

Monday, 15th December, 1823.

The House met. Prayers were read. The minutes of Saturday were read.

Agreeably to the order of the day, the Highways Amendment Bill was read the third time.

Mr. Morris, seconded by Mr. Crooks, moves that the Bill do now pass and that it be entitled, "An Act to repeal part of and amend an Act passed in the fiftieth year of his late Majesty's reign entitled, 'An Act to provide for the laying out, amending, and keeping in repair the Public Highways and Roads in this Province,' and to repeal the Laws now in force for that purpose, and also to repeal part of and amend the provisions of an Act passed in the fifty-ninth year of his late Majesty's reign entitled, 'An Act to repeal part of and amend the Laws now in force for laying out, amending, and keeping in repair the Public Highways and Roads in this Province.'"

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Gordon, Willson of Wentworth, Hamilton of Wentworth, Hamilton of Lincoln, Clark, Walsh, McMartin, Ruttan, McDonell, Kerr, Willson of Prince Edward, Jones of Grenville, Crooks, Morris, Bostwick, McLean of Stormont.

Nays: Messrs. Jones of Leeds, White, Pattie, Casey, Shaver.

The question was carried in the affirmative by a majority of twelve and the Bill was signed.

Mr. Morris, seconded by Mr. Jones of Grenville, moves that Messieurs Crooks and Bostwick be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to repeal part of and amend an Act passed in the fiftieth year of his late Majesty's reign entitled 'An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province," and to repeal the Laws now in force for that purpose, and also to repeal part of and amend the provisions of an Act passed in the fifty-ninth year of his late Majesty's reign entitled, 'An Act to repeal part of and amend the Laws now in force for laying and amending and keeping in repair the Public Highways and Roads in this Province,'" and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Marriage Confirmation Bill was read the third time. Mr. Casey, seconded by Mr. Kerr, moves that the Bill do now pass and that it be entitled, "An Act to confirm certain Marriages in this Province." Which was carried and the Bill signed. Mr. Ruttan, seconded by Mr. Kerr, moves that Messieurs Casey and Walsh be ordered to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to confirm certain Marriages in this Province," and request the concurrence of that Honorable House thereto. Which was ordered.

Agreeably to the order of the day, the Petition from Hastings and Ameliasburgh, praying that the Midland District may be divided, and in case of such Division a Jail and Court House for the new District may be erected in the Town of Belleville, and the Petition of William Bergin and others praying for the suppression of Orange processions, were read. Mr. White, seconded by Mr. Walsh, moves that the Petition of the Inhabitants of the County of Hastings and the Township of Ameliasburgh be referred to a Select Committee, and that Messieurs Baldwin and Hamilton of Wentworth do compose said Committee, and that they have leave to report by Bill or otherwise. Which was carried.

Mr. Jones of Leeds, seconded by Mr. Willson of Wentworth, moves that the Petition of William Bergin and others be referred to a Select Committee to be composed of Messieurs Attorney General, Baldwin, Nichol and Gordon, and that they report by Bill or otherwise. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean of Stormont, Jones of Leeds, Gordon, Wilmot, Messrs. Willson of Wentworth, Hamilton of Wentworth, Clark, Baldwin, Baby, White, McMartin, Horner, Jones of Grenville, Morris, Crooks, Hagerman, McDonell, Walsh.

Nays: Messrs. Burwell, Hamilton of Lincoln, Pattie, Ruttan, Kerr, Willson of Prince Edward, Casey, Shaver, Bostwick.

The question was carried in the affirmative by a majority of nine and ordered accordingly.

Mr. Jones of Grenville from the Committee to draft an Address to His Excellency the Lieutenant Governor thanking him for several Messages transmitting Population Returns, District Treasurers' Accounts, and Gwillimbury Petition, reported a draft which was received and read the first time. Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Address to His Excellency the Lieutenant Governor be read a second time this day and that the Fifth Rule of this House be dispensed with, in so far as it relates to the said Address. Which was carried and the Address was read the second time. Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Address to His Excellency the Lieutenant Governor be concurred in, engrossed, and read a third time this day. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the State of the Province. Mr. Willson of Prince Edward in the Chair. The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled, "An Act to repeal part of and continue and amend the Laws now in force imposing a Duty on Licenses to Innkeepers within this Province," which they had passed without amendment and withdrew.

The House again went into Committee on the State of the Province. Mr. Willson of Prince Edward in the Chair. The House resumed. Mr. Willson reported progress and asked leave to sit again this day three months. Mr. Jones of Grenville, seconded by Mr. Hamilton of Lincoln, moves that the Report be not now received. On which the House divided and the yeas and nays being taken were as follows:—

Yeas: Messrs. Jones of Leeds, Burwell, McMartin, Ruttan, Jones of Grenville, Attorney General, Casey, Crooks, Morris, Hamilton of Lincoln, Hagerman, Shaver McLean of Stormont, Bostwick.

Nays: Messrs. Nichol, Randal, Willson of Wentworth, Clark, Baldwin, White, Horner, Pattie, Walsh, Baby, McDonell, Kerr, Chisholm, Wilmot, Hamilton of Wentworth, Willson of Prince Edward.

The question was carried in the negative by a majority of two and lost accordingly.

On the original question being put the House divided, and the yeas and nays being taken were as follows:—

Yeas: Messrs. Nichol, Randal, Willson of Wentworth, Clark, Baldwin, Baby, White, Horner, Pattie, Walsh, McDonell, Kerr, Chisholm, Wilmot, Hamilton of Wentworth, Willson of Prince Edward.

Nays: Messrs. Jones of Leeds, Burwell, McMartin, Ruttan, Jones of Grenville, Attorney General, Casey, Crooks, Morris, Hamilton of Lincoln, Hagerman, Shaver, McLean of Stormont, Bostwick, Gordon.

The question was carried in the affirmative by a majority of one, the Report received and leave granted accordingly.

Agreeably to order, the Address to His Excellency the Lieutenant Governor was read the third time and passed and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major-General Commanding His Majesty's Forces therein, etc.,

May it Please Your Excellency,—We, His Majesty's most dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly thank Your Excellency for your several Messages transmitting to this House the Returns of the Population of this Province in so far as the same have been received, the Accounts of the several District Treasurers, and the Petition of the Inhabitants of West Gwillimbury and Tecumseh.

Levius P. Sherwood, Speaker.

Commons House of Assembly, 15th December, 1823.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that Messieurs Gordon and Hamilton of Lincoln be a Committee to wait upon His Excellency the Lieutenant Governor, with the Address of this House, to know when he will be pleased to receive, and to present, the same. Which was ordered.

Agreeably to notice Mr. Baldwin, seconded by Mr. Clark, moves for leave to bring in a Bill for the improvement of the condition of the Indian Tribes within this Province. Which was granted and the Bill read.

Mr. Baldwin, seconded by Mr. Willson of Prince Edward, moves that the Bill for the improvement of the Indian Tribes be read a second time on Thursday next.

In amendment, Mr. Hagerman, seconded by Mr. Crooks, moves that all the words in the original motion after the word "moves" be expunged and the following be inserted, "that two hundred copies of the Indian Improvement Bill be printed." Which was lost.

The original question was then put and lost.

Mr. Nichol, from the Committee to whom was referred the Petition from the Inhabitants of Prince Edward, reported a Bill, which was received and read the first time.

Mr. Nichol, seconded by Mr. Willson, of Prince Edward, moves that the Bill to authorize the Lieutenant Governor to erect the County of Prince

Edward into a separate District be read a second time on Wednesday next. Which was ordered.

Mr. Hagerman gives notice that he will on Friday next move for leave to bring in a Bill to authorize Members of the House of Assembly to resign their seats.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 16th December, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Baldwin, seconded by Mr. White, moves for leave to bring up the Petition of John McBeath. Which was granted and the Petition brought up.

Mr. Ruttan, seconded by Mr. Hamilton, of Lincoln, moves for leave to bring up the Petition of the Inhabitants of the Townships of Otonabee and Asphodel in the Newcastle District. Which was granted and the Petition brought up.

Mr. Ruttan, seconded by Mr. Hamilton, of Lincoln, moves for leave to bring up the Petition of James Kirby, Major in the late Battalion of Incorporated Militia of this Province. Which was granted and the Petition brought up.

Agreeably to the order of the day the Otanabee County Bill was read the second time.

Mr. Ruttan, seconded by Mr. Kerr, moves that the House do now resolve itself into a Committee of the Whole on the Division Bill. Which was carried and Mr. Randal was called to the Chair of the Committee.

The House resumed. Mr. Randal reported the Bill without amendment. Ordered that the Report be received.

Mr. Ruttan, seconded by Mr. Kerr, moves that the Provinces Division Bill be engrossed and read a third time on Thursday next. Which was ordered.

Agreeably to the order of the day the House went into Committee on the Collectors Bill. Mr. Shaver in the Chair.

The House resumed. Mr. Shaver reported the Bill as amended.

On the question for receiving the Report the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean (Stormont), Hamilton (Lincoln), Attorney General, Burwell, Gordon, Willson (Wentworth), Clark, McMartin, Ruttan, Kerr, Crooks, Hagerman, Nichols, Jones (Grenville), McDonell, Morris, Shaver, Bostwick, Robinson.

Nays: Messrs. Randal, Hamilton (Wentworth), Wilmot, Baldwin, Walsh, White, Pattie, Horner, Chisholm, Willson (Prince Edward), Jones (Leeds).

The question was carried in the affirmative by a majority of eight and the Report was received accordingly.

Mr. Jones, of Grenville, seconded by Mr. Morris, moves that the Collectors' Bill be engrossed and read a third time on to-morrow. Which was ordered.

Agreeably to the order of the day the House went into Committee on the Shop License Bill. Mr. Wilmot in the Chair.

The House resumed to receive a Message.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor a Message with Special Receiver's Accounts and having withdrawn the Speaker read the Message as follows:

P. Maitland.

The Lieutenant Governor transmits to the House of Assembly in compliance with its Address of the 28th of last month a statement of the sums arising from the sale of Forfeited Estates, paid into the hands of the Special Receiver; specifying the time at which such payments were made—the Debentures paid out of the same—as also the Contingent disbursements of the Commission, and the balance remaining in the hands of the Special Receiver on the 6th instant.

Government House,
10th December, 1823.

Mr. Hamilton of Wentworth, from the Committee to draft an Address to His Excellency the Lieutenant Governor on the subject of a second Circuit, reported a draft, which was received and read the first time.

Mr. Nichol, seconded by Mr. Hamilton, of Wentworth, moves that the Address to His Excellency the Lieutenant Governor be read a second time to-morrow.

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Nichol, Gordon, Willson (Wentworth), Hamilton (Wentworth), Clark, Wilmot, Baldwin, Walsh, White, Baby, Horner, Pattie, Chisholm, Ruttan, Kerr, Willson (Prince Edward), Morris, Crooks.

Nays: Messrs. Jones (Leeds), Jones (Grenville), Randal, Casey, Bostwick, Hamilton (Lincoln), Hagerman, Shaver, McLean (Stormont), McDonell. McMartin.

The question was carried in the affirmative by a majority of eight and ordered accordingly.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message and having withdrawn the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council request a Conference with the Commons House of Assembly, on the subject matter of the amendments made by that House on and to the Bill entitled "An Act to repeal an Act of Parliament made in England in the Twenty-first year of the Reign of His late Majesty King James the First, entitled 'An Act to prevent the destroying and murthering of Bastard Children,'" and to make other provisions in lieu thereof, and have appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at 12 o'clock noon, to-morrow.

Wm. Dummer Powell, Speaker,

Legislative Council Chamber,
16th December, 1823.

Mr. Ruttan, seconded by Mr. Crooks, moves that the request of the Honorable the Legislative Council on the subject matter of the amendments made by this House in and to the Bill entitled "An Act to repeal an Act of Parliament made in England in the Twenty-first year of the reign of His late Majesty King James the First, entitled, 'An Act to prevent the destroying and murthering of Bastard Children,' and to make other provisions in lieu thereof," be acceded to, and that Messrs. Jones, of Grenville, McLean, of Stormont, Hagerman and McDonell be a Committee to meet the Committee of the Honorable the Legislative Council for that purpose. Which was carried.

Mr. Ruttan, seconded by Mr. Crooks, moves that Messrs. Kerr and Hamilton, of Lincoln, be ordered to acquaint the Honorable the Legislative Council that this House has agreed to a Conference on the subject matter of the Bill entitled "An Act to repeal an Act of Parliament made in England in the Twenty-first year of the reign of His late Majesty King James the First, entitled, 'An Act to prevent the destroying and murthering of Bastard Children,' and to make other provisions in lieu thereof," and have for that purpose appointed four of its Members to meet the Committee of that Honorable House in the Joint Committee Room at the time and place appointed. Which was ordered.

The House then went again into Committee on the Shop License Bill. Mr. Wilmot in the Chair.

The House resumed. Mr. Wilmot reported progress and asked leave to sit again to-morrow. Ordered that the Report be received and leave was granted accordingly.

Mr. McLean, of Stormont, from the Committee to draft a Bill founded on the Report of the Joint Committee of Conference on the Message of His Excellency the Lieutenant Governor, recommending to the Legislature to make some more effectual provision for obtaining a Census of the Population of this Province, reported a draft.

Members present: Messrs. Casey, McMartin, Horner, Randal, Willson (Prince Edward), Baldwin, Walsh, Crooks, Morris, Shaver, McLean (Stormont), and Bostwick.

The Speaker then adjourned the House for want of a Quorum.

Wednesday, 17th December, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

The draft of the Bill founded on the Report of the Joint Committee of Conference on the Message of His Excellency the Lieutenant Governor recommending to the Legislature to make some more effectual provision for obtaining a census of the population of this Province, and reported by Mr. McLean, of Stormont, yesterday, was read.

Mr. McLean, of Stormont, seconded by Mr. McMartin, moves that the Census Bill be read a second time on Friday next. Which was ordered.

Agreeably to the order of the day Peterson's Relief Bill was read the second time.

Mr. Hamilton, of Lincoln, seconded by Mr. Jones, of Grenville, moves that the House do now resolve itself into a Committee of the Whole on Peterson's Relief Bill. Which was carried. Mr. Burwell was called to the Chair of the Committee.

The House resumed. Mr. Burwell reported the Bill without amendment. Ordered that the Report be received.

Mr. Hamilton, of Lincoln, seconded by Mr. Jones, of Grenville, moves that the Bill for the relief of William Peterson be engrossed and read a third time on to-morrow. which was ordered.

Agreeably to the order of the day the Presbyterian Purchase Bill was read the second time.

Mr. Baldwin, seconded by Mr. White, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the Presbyterian Purchase Bill. Which was carried, and Mr. Bostwick was called to the Chair of the Committee.

The House resumed. Mr. Bostwick reported the Bill without amendment. Ordered that the Report be received.

Mr. Baldwin, seconded by Mr. White, moves that the Presbyterian Purchase Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day the Lenox and Addington Division Bill was read the second time.

Mr. Baldwin, from the Committee to whom was referred the Petition of the Inhabitants of the Home and Gore Districts, reported a Bill which was received, and read the first time.

Mr. Baldwin, seconded by Mr. Wilmot, moves that the Salmon Fishery Bill be read a second time to-morrow. Which was ordered.

Mr. Casey, seconded by Mr. Clark, moves that the House do now resolve itself into a Committee of the Whole on the Lenox and Addington Division Bill. Which was carried, and Mr. Willson, of Wentworth, was called to the Chair of the Committee.

The House resumed. Mr. Willson reported the Bill as amended. Ordered that the Report be received.

Mr. Casey, seconded by Mr. Hagerman, moves that the Lenox and Addington Division Bill be engrossed and read a third time on to-morrow. Which was ordered.

Mr. Walsh from the Committee to whom was referred the Petition of James Carrol reported a Bill for his relief which was received and read the first time.

Mr. Walsh, seconded by Mr. Wilmot, moves that the Bill for the relief of James Carrol be read a second time on Friday next. Which was ordered.

Agreeably to the order of the day the Collectors' Bill was read the third time.

Mr. Gordon, seconded by Mr. McLean, of Stormont, moves as a rider to the Bill, the following clauses:

"Provided always and be it further enacted, by the Authority aforesaid, that nothing in this Act contained shall extend or be construed to extend, to authorize any Collector to retain any percentage on duties payable on any Goods, Wares or Merchandise imported into this Province from the United States of America, by or for any such collector, either directly or indirectly." Which was carried.

Mr. Jones, of Grenville, seconded by Mr. Shaver, moves that the Bill do now pass and that it be entitled "An Act to repeal an Act passed in the Forty-first year of His late Majesty's Reign entitled 'An Act for granting to His Majesty His Heirs and Successors to and for the uses of this Province, the like Duties on Goods and Merchandise brought into this Province from the United States of America, as are now paid on Goods and Merchandise imported from Great Britain and other places.'" And also an Act passed in the Forty-third year of His late Majesty's Reign entitled "An Act to explain and amend an Act passed in the Forty-first year of His Majesty's Reign, entitled An Act for granting to His Majesty, His Heirs and Successors to and for the uses of this Province, the like Duties on Goods and Merchandise brought into this Province from the United States of America, as are now paid on Goods and Merchandise imported from Great Britain and other places, and to provide more effectually for the collection and payment of Duties on Goods and Merchandise coming from the United States of America into this Province, and also to establish a fund for the erection and repairing of Light Houses. And to make more effectual provision for the due collection of Duties on Goods imported into this Province."

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, McLean (Stormont), Gordon, Willson (Wentworth), Randal, McMartin, Clark, Kerr, McDonell, Hamilton (Lincoln), Ruttan, Jones (Grenville), Attorney General, Hagerman, Morris, Shaver, Bostwick.

Nays: Messrs. Jones (Leeds), Hamilton (Wentworth), Wilmot, Baldwin, White, Baby, Pattie, Horner, Casey, Willson (Prince Edward), Chisholm.

The Question was carried in the affirmative by a majority of six and the Bill signed.

Mr. Morris, seconded by Mr. Chisholm, moves that Messrs. Jones, of Grenville, and Hagerman be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act to repeal an Act passed in the Forty-first year of His late Majesty's reign entitled An Act for granting to His Majesty, His Heirs and Successors to and for the uses of this Province the like Duties on Goods and Merchandise brought into this Province from the United States of America as are now paid on Goods and Merchandise imported from Great Britain and other places." And also an Act passed in the Forty-eighth year of His late Majesty's Reign entitled "An Act to explain and amend an Act passed in the Forty-first year of His Majesty's Reign entitled An Act for granting to His Majesty, His Heirs and Successors to and for the uses of this Province the like duties on Goods and Merchandise brought into this Province from the United States of America as are now paid on Goods and Merchandise imported from Great Britain and other places. And to provide more effectually for the collection and payment of duties on Goods and Merchandise coming from the United States of America into this Province, and also to establish a fund for the erection and repairing of Light Houses. And to make more effective provision for the due collection of duties on Goods imported into this Province." And to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day the Probate and Surrogate Court Bill was read the second time.

Mr. Jones, of Grenville, seconded by Mr. Hamilton, of Lincoln, moves that the Probate Court Bill be now referred to a Committee of the whole House. Which was carried and Mr. Baldwin was called to the Chair of the Committee.

The House resumed. Mr. Baldwin reported the Bill as amended. Ordered that the Report be received.

Mr. Jones of Grenville, seconded by Mr. Hamilton of Lincoln, moves that the Probate and Surrogate Court Bill be engrossed and read a third time on to-morrow. Which was ordered.

Agreeably to the order of the day the House went into Committee on Clergy Claims. Mr. Gordon in the Chair.

The House resumed. Mr. Gordon reported that the Committee had agreed to certain Resolutions which he was directed to submit for the adoption of the House. Ordered that the Report be received and the several Resolutions were then put and carried as follows:

Resolved, that when the Kingdoms of England and Scotland were united, the subjects of both were placed upon a footing of reciprocity and were to enjoy a full communication of every Right, Privilege and Advantage, and that neither the Church of the one, nor the other, thereby gained any ascendancy, on the contrary, that both were established by Law as National Protestant Churches within their respective Kingdoms, and consequently the Clergy of both are

equally entitled to a participation in all the advantages which have resulted or may hereafter result from the said Union.

Resolved, that the Provinces of Canada were wrested from the Dominion of France by the united exertions of Great Britain and Ireland, and that the Churches of England and Scotland had at the conquest thereof an equal claim to enjoy the advantages which might be derived from the same conquest.

Resolved, that by the Act of the British Parliament passed in the Thirty-first year of His late Majesty's Reign, the Governor, Lieutenant Governor or Person administering the Government of this Province was authorized to set apart a portion of one-seventh of the lands for the support and maintenance of a Protestant Clergy.

Resolved, that if His late Majesty, when he graciously authorized an appropriation of land for this support and maintenance of a Protestant Clergy in this Province, did not contemplate a provision for the Clergy of the Church of Scotland, they ought now to come under His Majesty's most favorable consideration by being otherwise provided for.

Resolved, that an humble Address be presented to His Majesty founded on the foregoing Resolutions, praying that His Majesty will be graciously pleased to direct such measures as will secure to the Clergy of the Church of Scotland, residing or who may hereafter reside in this Province, such support and maintenance as His Majesty shall think proper.

Mr. Jones, of Grenville, seconded by Mr. Hamilton, of Lincoln, moves that Messrs. Morris and Crooks be a Committee to carry up to the Honorable the Legislative Council the Resolutions of this House on the subject of the claims of the Church of Scotland, and request the concurrence of that Honorable House therein. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Wolf Bill. Mr. Casey in the Chair. The House resumed on a question of order.

The House went again into Committee on the Wolf Bill. Mr. Casey in the Chair. The House resumed. Mr. Casey reported progress and asked leave to sit again to-morrow. Ordered that the report be received and leave was granted accordingly.

The House then adjourned till ten o'clock to-morrow.

Thursday, 18th December. 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the County of Otonabee Bill was read the third time.

Mr. Ruttan, seconded by Mr. Crooks, moves that the Bill do now pass and that the Title be, "An Act to repeal part of the Sixth Clause of an Act passed in the second year of His Majesty's Reign, Chapter third, and also part of the Twenty-third Clause of an Act passed in the Thirty-eighth year of His Majesty's Reign, entitled, 'An Act for the better division of the Province,' and to provide for the better division of the District of Newcastle." Which was carried and the Bill signed.

Mr. Morris, seconded by Mr. Shaver, moves that Messrs. Ruttan and Pattie be a Committee to carry to the Honorable the Legislative Council the Bill entitled, "An Act to repeal part of the sixth clause of an Act passed in the second year of His Majesty's Reign, Chapter Third, and also part of the Twenty-third Clause of an Act passed in the Thirty-eighth year of His late Majesty's Reign, entitled, 'An

Act for the better division of the Province,' and to provide for the better division of the District of Newcastle," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, Peterson's Relief Bill was read the third time.

Mr. Hamilton of Lincoln, seconded by Mr. Morris, moves that the Bill do now pass and that it be entitled, "An Act for the relief of William Peterson." Which was carried and the Bill signed.

Mr. Gordon, seconded by Mr. Willson of Wentworth, moves that Messrs. Hamilton of Lincoln and Morris be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act for the relief of William Peterson," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Lenox and Addington Division Bill was read the third time.

Mr. Casey, seconded by Mr. Hagerman, moves that the Bill do now pass and that it be entitled "An Act to repeal the fifteenth clause of an Act passed in the Thirty-eighth year of His late Majesty's Reign, entitled 'An Act for the better division of this Province,' and to declare the Counties of Lenox and Addington separate and independent Counties." Which was carried and the Bill signed.

Mr. Casey, seconded by Mr. Hagerman, moves that Messrs. Ruttan and Walsh be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act to repeal the fifteenth clause of an Act passed in the thirty-eighth year of His late Majesty's Reign, entitled 'An Act for the better division of this Province,' and to declare the Counties of Lenox and Addington separate and Independent Counties," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Probate and Surrogate Court Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. Casey, moves that the Bill do now pass and that it be entitled "An Act to extend the Jurisdiction of the Court of Probate, and the Surrogate Court in this Province."

In amendment, Mr. McDonell, seconded by Mr. Willson of Prince Edward, moves that after the word "moves" in the original motion the whole be expunged and the following inserted "that this Bill do not pass." On which the House divided and the yeas and nays were taken as follows:

Yeas: Messrs. Jones (Leeds), Nichol, Gordon, Willson (Wentworth), Clark, Wilmot, Baldwin, Walsh, White, Baby, Horner, Kerr, Chisholm, Willson (Prince Edward), Crooks, McDonell, Bostwick.

Nays: Messrs. Burwell, Robinson, Hamilton (Wentworth), McMartin, Pattie, Ruttan, Casey, Jones (Grenville), Hagerman, Hamilton (Lincoln), Morris, Shaver.

The question was carried in the affirmative by a majority of five. The original question as amended was then put and carried.

Agreeably to the order of the day, the Presbyterian Purchase Bill was read the third time.

Mr. Baldwin, seconded by Mr. Wilmot, moves that the Bill do now pass and that it be entitled "An Act to enable the Presbyterian Congregation of York to purchase one or more parcels of ground sufficient for the erection of a Church and Burying Ground." Which was carried and the Bill signed.

Mr. Morris, seconded by Mr. Shaver, moves that Messrs. Baldwin and Wilmot be a Committee to carry to the Honorable the Legislative Council the Bill entitled

"An Act to enable the Presbyterian Congregation of York to purchase one or more parcels of ground sufficient for the erection of a Church and Burying Ground," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petition from John McBeath praying for payment of his demands against Grace and Markle, the Petition from the Inhabitants of Asphodel and Otonabee praying for money to help them to build a Bridge; and the Petition from Major Kirby of the late Battalion of Incorporated Militia, were read.

Mr. Baldwin, seconded by Mr. Wilmot, moves that the Petition of John McBeath be referred to a Select Committee with power to report by Bill or otherwise, and that Messrs. McDonell and Jones of Leeds be such Committee. On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson, Wilmot, Baldwin, Walsh, Ruttan, Jones (Grenville).

Nays: Messrs. Jones (Leeds), Burwell, Gordon, Nichol, McMartin, Hamilton (Wentworth), White, Baby, Pattie, Horner, Casey, Hamilton (Lincoln), Clark, Kerr, Chisholm, Morris, Shaver, Bostwick, McDonell.

The question was carried in the negative by a majority of thirteen and lost accordingly.

Mr. Ruttan, seconded by Mr. Crooks, moves that the Petition of the Inhabitants of Otonabee and Asphodel be referred to the Committee of Supply. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Baldwin, Ruttan, Casey, Wilmot, Kerr, Chisholm, Willson (Prince Edward), Jones (Grenville), Crooks, Morris, Robinson, Bostwick.

Nays: Messrs. Nichol, Burwell, Gordon, Willson (Wentworth), Randal, McMartin, Hamilton (Wentworth), White, Walsh, Baby, Pattie, Horner, Hagerman, Clark, Hamilton (Lincoln), Shaver, McDonell.

The question was carried in the negative by a majority of four and lost accordingly.

Mr. Ruttan, seconded by Mr. Crooks, moves that the Petition of James Kirby, Major in the late Battalion of Incorporated Militia, be referred to Messrs. Attorney General, Nichol and McLean of Stormont, to report thereon, and that they have power to send for persons and papers. Which was ordered.

Agreeably to the order of the day, the Receiver General's Poundage Bill was read the second time.

Mr. Nichol, seconded by Mr. Randal, moves that the House do now resolve itself into a Committee of the whole to take the Receiver General's Poundage Bill into consideration. Which was carried and Mr. Horner was called to the Chair of the Committee. The House resumed. Mr. Horner reported progress and asked leave to sit again this day fortnight.

On the question for receiving the report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Burwell, Willson (Wentworth), Pattie, Walsh, Randal, Ruttan, Willson (Prince Edward), Jones (Grenville), Casey, McMartin, Attorney General, Kerr, Chisholm, Crooks, Morris, Bostwick, McDonell, Horner.

Nays: Messrs. Hagerman, Jones (Leeds), Hamilton (Wentworth), Wilmot, Baldwin, White, Clark, Shaver, Baby.

The question was carried in the affirmative by a majority of ten, the report was received, and leave granted accordingly.

Agreeably to the order of the day, the Kingston Bank Commissioners' Bill was read the second time.

Mr. Morris, seconded by Mr. Shaver, moves that the House do now resolve itself into a Committee of the whole on the Kingston Bank Commissioners' Bill. Which was carried and Mr. Chisholm was called to the Chair of the Committee. The House resumed. Mr. Chisholm reported progress and asked leave to sit again on Monday. Ordered that the report be received and leave was granted accordingly.

Mr. Morris gives notice that he will, on to-morrow, move for leave to bring in a Bill to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor at the close of the last Session of Parliament in pursuance of the Address of this House.

Mr. Willson of Wentworth, gives notice that he will move on Monday next for leave to bring in a Bill to amend and extend the provisions of an Act passed in the fifty-sixth year of His late Majesty's Reign, granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools, and also an Act passed in the sixtieth year of His late Majesty's Reign to amend and continue under certain modifications the above recited Act.

Mr. Baldwin gives notice that he will, on to-morrow, move certain Resolutions relative to the state of Immigration into this Province, and the settlement of the Waste Lands of the Crown.

Mr. Crooks gives notice that he will, on Saturday next, move for leave to bring in a Bill to amend and extend the provisions of an Act passed the last Session of this Legislature, entitled "An Act to provide for constructing a Navigable Canal between Burlington Bay and Lake Ontario."

Mr. Hamilton of Lincoln, gives notice that he will move on to-morrow for the House going into a Committee of the whole on the Probate and Surrogate Court Bill.

Mr. Baldwin gives notice that he will, on to-morrow, move certain Resolutions on the subject of the Northern line Boundary of this Province.

Mr. Attorney General gives notice that he will move to-morrow for leave to bring in a Bill to alter the times of sitting of the Court of King's Bench in this Province.

Mr. Nichol gives notice that he will, on Monday next, move that it be Resolved, that this House do resolve itself into a Committee of the whole on His Excellency's Reply to the Address of this House on the subject of the Provincial Boundary and other matters connected therewith.

The House then adjourned till ten o'clock to-morrow.

Friday, 19th December, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Intestate Estate Bill was read the second time.

Mr. Willson of Wentworth, seconded by Mr. Hamilton of Wentworth, moves that this House do now resolve itself into a Committee of the whole to take into consideration the Intestate Estate Bill. On which the House divided and the yeas and nays being taken were was follows:

Yeas: Messrs. Jones (Leeds), Gordon, Willson (Wentworth), Randal, Hamilton (Wentworth), Wilmot, Walsh, White, Pattie, Clark, Casey, McDonell, Willson (Prince Edward), Morris.

Nays: Messrs. Martin, Jones (Grenville), Burwell, McLean (Stormont), Shaver, Bostwick.

The question was carried in the affirmative by a majority of eight and Mr. Pattie was called to the Chair of the Committee. The House resumed. Mr. Pattie reported progress and asked leave to sit again this day three months.

On the question for receiving the report the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Gordon, Burwell, Nichol, Hagerman, McDonell, Baldwin, Hamilton (Lincoln), Ruttan, Kerr, McMartin, Jones (Grenville), McLean (Stormont), Attorney General, Morris, Shaver, Bostwick.

Nays: Messrs. Jones (Leeds), Willson (Wentworth), Clark, Hamilton (Wentworth), Wilmot, Walsh, White, Baby, Horner, Randal, Pattie, Casey, Chisholm, Willson (Prince Edward), Crooks.

The question was carried in the affirmative by a majority of one, the report received and leave granted accordingly.

Agreeably to the order of the day, the Midland District Loan Bill was read the second time.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the House do now resolve itself into a Committee of the whole on the Midland District Loan Bill. Which was carried.

Mr. Crooks was called to the Chair of the Committee. The House resumed. Mr. Crooks reported the Bill as amended.

On the question for receiving the report the House divided and the yeas and nays were taken as follows:

Yeas: Messrs. Burwell, Nichol, Hagerman, McMartin, Ruttan, McDonell, Jones (Grenville), Attorney General, Kerr, Chisholm, Morris, Shaver, Bostwick, Crooks.

Nays: Messrs. Clark, Hamilton (Wentworth), Wilmot, Walsh, White, Horner, Pattie, Casey, Willson (Prince Edward).

The question was carried in the affirmative by a majority of five and the report was accordingly received.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Midland District Loan Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Morris, moves for leave to bring in a Bill for continuing an Act passed in the fifty-ninth year of His late Majesty's Reign relative to Rates and Assessments and to make provision for levying the said rates under certain restrictions by sale of the Lands charged with the same. On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Hagerman, Jones (Leeds), Burwell, Gordon, McMartin, Willson (Wentworth), Hamilton (Wentworth), Ruttan, Wilmot, White, Clark, Pattie, Randal, Horner, Casey, Hamilton (Lincoln), McLean (Stormont), Attorney General, Jones (Grenville), Kerr, Chisholm, Willson (Prince Edward), Crooks, Morris, Shaver, Bostwick.

Nays: Messrs. Nichol, Baldwin, Walsh, McDonell.

The question was carried in the affirmative by a majority of twenty-two, and the Bill was read the first time.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Assessment Bill be read a second time to-morrow.

In amendment, Mr. Nichol, seconded by Mr. Baldwin, moves, that in the original motion the word "to-morrow" be expunged and the words "this day three months," be inserted. Which was lost.

The original question was then put and carried.

Mr. Nichol from the Committee to whom were referred the Public Accounts of the present year reported as follows:

First report from the Committee of Finance appointed to Examine and Report upon the Public Accounts, December 19th, 1823.

The Committee of Finance appointed to examine and report upon the Public Accounts proceeded with as little delay as possible to the discharge of their duty, and having examined the various accounts referred to them, found them to consist of sixteen numbered accounts from 1 to 16. Twenty-four detailed accounts; and a return of debentures issued by His Majesty's Receiver General under the authority of an Act passed the first Session of the Eighth Parliament of the Province of Upper Canada.

No. 1. Is a statement of the Provincial Revenue arising from Duties on Licenses issued to Shop Keepers, Innkeepers and Distillers in the several Districts of this Province for the period commencing on the 5th January, 1823, and ending on the 5th October, 1823, so far as the several inspectors have reported the same. By this it appears that the gross revenue collected up to that period amounted to £3,484 6s. 10½d. From which deduct allowances for collecting at ten per cent., £348 8s. 8½d. Leaves a net revenue of, £3,135 18s. 2¼d.

Comparing this with the receipt of last year there appears a deficiency of £753 4s. 9d., but it must be recollected that the return for last year was complete, while that for the present year comprehends only three quarters. Whether the produce of the quarter ending on the 5th January next will make up the deficit remains to be ascertained.

The principal deficit in this branch of revenue occurs in the duty on stills, there being 3,908¾ gallons less licensed during the period returned than were licensed during the whole year 1822; this may. however, be accounted for in various ways, viz.:

From the rise in the price of grain which of course interfered with distillation. From indulgences which your Committee have been informed are sometimes improperly granted by the District Inspectors in permitting distillation on a promise of payment towards the close of the year. And from the inspectors having omitted to gauge the stills in their respective districts under the late Acts. Your Committee having stated the facts leave it to the wisdom of the House to provide the remedy.

No. 2. Is a statement shewing the gross amount of duties collected at the several Ports of Entry in this Province, between the 1st January and 11th November, 1823, as reported by the collectors, from which it appears that the gross collection within the above periods was £2,050 11s. 6d. From which deduct the allowance for collectors, £807 15s. 11d., leaves a net revenue of £1,247 15s. 7d.

From this statement it will be seen that the duty on importations from the United States is collected at the expense of nearly 65 per cent. Comparing the net revenue received this year with the whole net collection of the last there is a deficiency of £544 15s. But your Committee have good reason to believe that the produce of the quarter commencing in October will make up the deficit.

No. 3. Is an account of revenue from licenses issued to Hawkers and Pedlars as per returns from collectors received between the first of January and 11th November, 1823. This amount shews the gross sum collected to amount to £165.

From which deduct the expense of collection, 8s. 5d., leaves the net revenue from these £156 15s.

In this branch of the revenue there is a small increase during the last season.

No. 4. Is an account of revenue from Tonnage Duties collected between the 1st of January and 11th November, 1823, on which there is a great falling off, the whole amount returned being only £78 8s. 2d., while that for the preceding year was £310 0s. 7½d.

No. 5. Is an account from Licenses to Auctioneers and on sales at auction which amount to £69 13s. 2¼d. Deduct allowance for collection, £3 9s. 7¾d.—£66 3s. 6¾d.

By these different statements it appears that the whole net revenue collected in the Province in so far as the same has been reported between the first January and eleventh November, 1823, amounted to Four Thousand Six Hundred and Eighty-five Pounds and Sixpence, being £1,536 10s. 4d. less than the receipt for the whole year 1822, viz.:

	£	s.	d.
By Statement No. 1	3,135	18	2¼
" " No. 2	1,247	15	7
" " No. 3	156	15	0
" " No. 4	78	8	2
" " No. 5	66	3	6¾
	4,685	0	6
Amount for the whole year, 1822	6,221	11	10
	1,536	11	4

Nos. 6 and 7. Are separate general statements of the Receipts and Payments of the Receiver General between the 1st of January and the 30th June, 1823, and the 1st July and 11th November, 1823, accompanied by abstracts of the Warrants issued by His Excellency the Lieutenant Governor for the said periods. By these it appears that the moneys paid into his hands for the first period amounted to £14,095 0s. 11¼d., viz.:

	£	s.	d.
From the Receiver General of Lower Canada on account of this Province's proportion of Import Duties levied at the Port of Quebec under Provincial Statute to 5th July, 1822	8,116	14	3¾
From the same as this Province's proportion of the same duties for the quarter ending in October	2,899	2	0¼
From Inspectors for Licenses	1,806	9	2¾
From Collectors	1,246	15	4¼
From Magistrates for duties on Ale and Beer Licenses	26	0	0
	14,095	0	11
The Poundage Charges on these several sums by the Receiver General as authorized by law amounts to	477	14	5
And the Warrants paid by him for the same period amount to	10,864	19	8¼
In the statement No. 7, the payments to the Receiver General since the first of July last, are			
From the Receiver General of Lower Canada, on account of duties levied at the Port of Quebec since the 10th October, 1822	5,196	5	1

	£	s.	d.
From Inspectors and Collectors	2,822	19	3
Dividend on Bank Stock	250	0	0
From Magistrates for duties on Ale and Beer Licenses	7	0	0
	8,276	4	4
The Poundage charged on these several sums amounts to	266	11	1¾
And the Warrants paid by him amount to the sum of	10,493	5	11½
The balance of cash in his hands on the 11th November, last was	172	15	7½ 6-9

The payment of £8,116. 14. 3¾ 6/9 by the Receiver General of Lower Canada in No. 6 having been stated to be a balance of the Duties accrued previously to 6th July, 1822, and the sum of £2,899. 2. 0¼ 7-9 in the same account being stated as the proportion of Duties due from Lower Canada for the quarter ending on the 10th October. Your Committee proceeded to check the payments made with the General Statements of Duties collected and which had been transmitted to the House by His Excellency's command at the last Session, the result of which is respectfully submitted, by which it appears that there is a further sum due to this Province amounting to £4,203. 13. 1½.

				£	s.	d.
Net Revenue actually collected at the Port of Quebec to the 5th of July, 1822, as per general statement				211,823	11	6
Net Revenue for the quarter ending October, 1822				23,926	15	4
Bonds outstanding, that is to say				235,750	6	10
Under prosecution	566	17	6			
Outstanding	20,451	7	5½			
				21,018	4	11½
				256,768	11	9½
Deduct duties under 14th Geo. 3rd				44,476	15	4
				212,291	16	5½
One-fifth for Upper Canada is				42,458	7	3
Received on account				38,254	14	1½
Deficiency				4,203	13	1½

A payment has been made subsequent to the 1st of July last on account of Duties collected since, but no account is rendered of particulars, so that it is possible that the above sum of £4,203. 13. 1½ may form part of the sum £5,196. 5. 1, credited in the Receiver General's account.

On reference to the Inspector General it does not appear that the Government of this Province are in possession of any Official Document, showing the Dutiable Articles imported at Quebec or the amount of Duties levied thereon and the net proportion due to this Province for the year commencing on the 10th October, 1822, consequently there are no means of ascertaining correctly whether this Province receives her proportional share. It must, however, be obvious to the House, that unless regular Returns are transmitted to the Government of this Province from Lower Canada, omissions may again occur, and new discussions arise respecting arrears.

No. 8. Is a statement of the Receiver General's receipts and payments on account of the appropriation for the Administration of Justice and support of the Civil Government for the year ending 31st December, 1822.

The sum voted for the several services under that head for that period was £6,490 sterling, and the charge including the allowance to the Receiver General on account of the sum transferred from the Crown fund £6,503.

An excess appears in some of the charges beyond the sum voted, while a saving appears in others. The following are the principal items in which the excess occurs.

	Sterling.
Administration of Justice	£168 3 8
Secretary and Register	157 11 0
Government Printer	126 15 8

On examining the accounts transmitted last and present Session, it will be seen that funds appropriated to defray the charges for the above services for 1822, fell short £755. 13. 11. of which sum £301. 5. 5. has been paid from the permanent grant, and the deficiency is charged by the Receiver General against the appropriation for the current year.

No. 9. Is an abstract of Warrants issued on the Receiver General on account of the appropriations for the current year, and a General Statement of the Receipts and Payments on that account.

	£ s. d.	£ s. d.
The sum appropriated was	.. .. ..	6,970 0 0
Warrants drawn on account	3,181 7 9 6-9	.. .. ..
Deficiency for the year 1822, charged against this fund	454 8 6¾	.. .. ..
Receiver General's Allowance on £2,500 transferred from duties under 14th Geo. 3rd	75 0 0	.. .. ..
	3,710 16 3¾ 6-9	
Balance applicable to the unsatisfied services for the half year ending 31st instant		3,259 3 8 3-9

A note at the bottom of the General Statement says that the balance of £3,259. 3. 8 3/9 falls short of the estimated amount to complete the service of the year; it is therefore probable that nothing will remain towards the year 1824.

No. 10. Is a general statement of Receipts and Payments on account of the appropriation of £2,500 currency annually by Provincial Statute 56 Geo. 3, Chap. 26, of which fund there remained unexpended the sum of £1,305. 5. 3 3-9 currency on the 11th November last. It has been already stated that a part of the deficiency of the vote of 1822 has been made good from this fund

No. 11. Is an estimate of the Expenditure and Resources to complete the service of the current year. By which it appears that, including the repayment of one-third of the Public Debt, the sum required to complete the service is £15,034. 7. 11½.

In this estimate no notice is taken of the Contingent Expenses of the Legislature during the present year; which having been incurred within the year 1823 properly become a charge against the receipts for the same period.

In examining the Estimate the sum of £2,750 appeared for Common Schools. Your Committee, however, are of opinion that the whole of this sum will not be required, and that the saving will wholly or nearly meet the sum necessary to pay the contingencies of the Session. With respect to the resources, your Committee have no means of ascertaining the correctness of the Estimate. A considerable proportion of the sum required is to be derived from Lower Canada. It has been already stated to Your Honorable House that no account of the

duties on Importations at Quebec has reached this Province for any period subsequent to the 10th October, 1822, and admitting the produce of that Fund to be ample, it remains to be ascertained how far the embarrassments of the Provincial Treasury in Lower Canada will admit of its being paid.

No. 12. Is a General Estimate of the Expenditure and Resources for the year 1824 in which provision is made for the following services:

	£	s.	d.
Officers of the Legislature	990	0	0
Printing the Laws	80	0	0
Nine Sheriffs	450	0	0
Eleven District Schools	1,100	0	0
Adjutant General of Militia	600	0	0
Civil List Appropriation	2,500	0	0
Inspector General of Provincial Accounts	405	11	1
Common Schools	2,750	0	0
Light House Expenses	100	0	0
Administration of Justice, including additional Circuits	8,800	0	0
Pensions by Statute	150	0	0
Interest on Public Debt	1,500	0	0
Improvement of Navigation	400	0	0
Contingencies of 4th Session Parliament	1,600	0	0
Hemp Machinery	300	0	0
Standard Weights and Measures	75	0	0
Bank Stock Deposits	3,750	0	0
Public Debt to be redeemed	8,332	6	8
Militia Pension List	1,600	0	0
Additional for Printing Laws	70	0	0
Unforeseen Casual Expenses	636	19	9
Receiver General's Poundage	1,280	0	0
The Resources estimated to meet this are:			
Amount awarded by Arbitrators	12,220	17	6
Revenue 14th Geo. 3rd in Upper and Lower Canada	4,000	0	0
Bank Stock Dividend	250	0	0
Provincial Revenue in Upper and Lower Canada	21,000	0	0

The amount of this Revenue must almost entirely depend on the receipt of the arrears—the punctual payment of the Duties to this Province from Lower Canada, and the nature of the Agreement to be made next summer by the Arbitrators.

No. 13. Is the Estimate in detail of the sums required for the various branches of the Civil Government for the year 1824, that is to say:

	£	s.	d.
Administration of Justice	2,400	0	0
Government Office	1,150	0	0
Receiver General's Office	500	0	0
Surveyor General's Office	1,500	0	0
Executive Council	650	0	0
Register and Secretary's Office	400	0	0
Inspector General's Office	420	0	0
Government Printer	200	0	0
Repairs, Government House	200	0	0
Casual and other Expenses	500	0	0
	7,920	0	0

The resources applicable to meet this service are Duties under the 14th Geo. 3rd, in Upper and Lower Canada, £3,600, leaving to be provided for from the Provincial Chest the sum of £4,320 sterling.

Your Committee have compared the Estimate with the Expenditure of 1822, and the Grant of 1823, and have submitted a view of the whole for the information of the House.

	1822	1823	1824
Administration of Justice	£1,668	£1,800	£2,400
Government Office	1,145	1,150	1,150
Receiver General's Office	434	500	500
Surveyor General's Office	1,145	1,200	1,500
Executive Council Office	675	650	650
Register and Secretary's Office	400	200	400
Inspector General's Office	410	420	420
Government Printer	246	150	200

With respect to the Resources to meet the Expenditure, your Committee are of opinion that the produce of the duties under the 14th Geo. 3rd has been very much underrated, as it has been ascertained, though not officially, that the Importation of Rum at Quebec for the last year has exceeded ten thousand puncheons. Which, admitting that only half of it was imported from the West Indies and other

	£	s.	d.
British Colonies would give about 560,000 gallons, one-fifth of which at 6 per gallon	2,800	0	0
And the duties on Brandy and other articles cannot be estimated at less than	700	0	0
	3,500	0	0
From which after deducting the charge of collection	300	0	0
There would remain	3,200	0	0
Add. Licenses in Upper Canada	1,100	0	0
Sterling	4,300	0	0

And should the whole have been imported from the Colonies it will give a revenue of nearly £6,000.

No. 14. Is a detailed account of moneys paid in to the Receiver General by Collectors and Inspectors since the 30th June, 1823. Amount £2,821 13. 3.

No. 15. Is a detailed account of moneys outstanding in the hands of Collectors and Inspectors on the 11th November, amounting to £1,861. 12. 4¼, of which by a note at the bottom of the Account the sum of £150 had been paid on the 13th November.

No. 16. Is a schedule of the detailed accounts on which your Committee will make such observations as occur to them in a Supplementary Report. The Debentures outstanding amount to £25,000, on which the interest will be due as follows:

On £20,000—March, 1824	£600
5,000—January, 1824	150
	£750

Should the receipts into the Provincial Treasury equal the Estimates, provision has been made for the redemption of £8,333. 6. 8, leaving a debt of £16,666. 13. 4, bearing an interest of six per cent., amounting to £1,000 per annum.

Your committee in making this Report regret that they have not been able to obtain any Official or other authentic information respecting the duties due from Lower Canada, but as the House have addressed His Excellency the Lieutenant Governor to procure the desired information, and as it has been required from Lower Canada and may possibly be received while the House is in Session, your Committee are of opinion that their powers should be continued, that they may be enabled to give in a Supplementary Report.

All which is respectfully submitted,

ROBT. NICHOL, Chairman.

Mr. Attorney General gives notice that he will move on Monday next for leave to bring in a Bill to render perpetual a certain Act of the Parliament of this Province, passed in the fifty-ninth year of His late Majesty's Reign, relative to Highways and Roads and to render more effectual the provisions of the same.

The House then adjourned till ten o'clock a.m. Monday.

Monday, 22nd December, 1823.

The House met. Prayers were read. The Minutes of Friday were read.

Mr. Casey, seconded by Mr. Willson, of Prince Edward, moves that he have leave to bring up the Petition of William Dalton, of the Town of Kingston. Which was granted and the Petition brought up.

Mr. Jones, of Grenville, seconded by Mr. McMartin, moves for leave to bring up the Petition of Oliver Everts, Esquire, Inspector for the Johnstown District. Which was granted and the Petition brought up.

Agreeably to the order of the day the Midland District Loan Bill was read the third time.

Mr. White, seconded by Mr. Clark, moves the following as a Rider, "And be it further enacted by the authority aforesaid, that nothing in this Act contained shall extend or be construed to extend, to require or compel the Counties of Hastings and Prince Edward to pay any part or portion of the moneys authorized to be loaned by this Act."

In amendment Mr. Jones, of Grenville, seconded by Mr. McLean, of Stormont, moves that after the word "moves" the whole be expunged, and the following inserted, "that the Bill do pass and that it be entitled, An Act to authorize the Justices of the Peace in General Quarter Sessions assembled for the Midland District to loan a further sum of money for the purposes therein mentioned."

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), McMartin, Ruttan, McDonell, McLean (Stormont), Jones (Grenville), Kerr, Morris.

Nays: Messrs. Randal, Willson (Wentworth), Hamilton (Wentworth), Wilmot, Baldwin, Walsh, White, Pattie, Clark, Casey, Willson (Prince Edward).

The question was decided in the negative by a majority of three and lost accordingly.

The original question was then put and carried.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Jones, of Grenville, moves that the House do now resolve itself into a Committee of Supply.

In amendment Mr. Hamilton, of Wentworth, seconded by Mr Baldwin, moves that the whole of the original motion after the word "moves" be expunged, and the following be inserted, "that the House do go into Committee on the Supply this day week."

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Randal, Willson (Wentworth), Hamilton (Wentworth), Baldwin, White, Pattie, Clark, Willson (Prince Edward).

Nays: Messr. Jones (Leeds), Burwell, Nichol, Gordon, McMartin, Wilmot, Walsh, Ruttan, Casey, McDonell, McLean (Stormont), Jones (Grenville), Attorney General, Kerr, Robinson, Morris, Horner, Shaver.

The question was decided in the negative by a majority of ten and lost accordingly.

The original question was then put and carried. Mr. Gordon was called to the Chair of the Committee.

The House resumed. Mr. Gordon reported progress and asked leave to sit again on the morrow. Ordered that the Report be received and leave was granted accordingly.

Mr. Morris, seconded by Mr. Shaver, moves that a Message be sent to the Honorable the Legislative Council acquainting that body that this House has concurred in the Report of the Committee of Conference on the subject of the amendments to the Bill entitled, "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly and the qualification of voters and Candidates at such Elections, and also to provide against fraud and obtaining qualifications to vote at Elections, and that Messrs. McLean, of Stormont, and McMartin be a Committee for that purpose.

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Robinson, Nichol, McMartin, Burwell, Walsh, Ruttan, Casey, McDonell, Hagerman, Jones (Grenville), McLean (Stormont), Attorney General, Crooks, Morris, Shaver, Bostwick, Kerr.

Nays: Messrs. Jones (Leeds), Randal, Willson (Wentworth), Hamilton (Wentworth), Wilmot, Baldwin, White, Baby, Clark, Pattie, Willson (Prince Edward).

The question was carried in the affirmative by a majority of six and ordered accordingly.

Mr. Ruttan, seconded by Mr. Morris, moves that the Petition of the Inhabitants of Asphodel and Otonabee be referred to a Select Committee to be reported upon, and that Messrs. Wilmot and Crooks compose the said Committee. Which was carried.

Mr. Attorney General, seconded by Mr. Jones, of Grenville, moves that the Report of the Committee of Finance be referred to the Committee of Supply. Which was ordered.

The Midland District Loan Bill as read the third time.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the Midland District Loan Bill be now recommitted.

In amendment Mr. Casey, seconded by Mr. Willson, of Prince Edward, moves that after the word "be" the whole of the original motion be expunged, and the words "recommitted this day three months" be inserted. Which was lost.

The original question was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Nichol, McMartin, Burwell, Ruttan, McDonell, Hagerman, Jones (Grenville), Attorney General, McLean (Stormont), Morris, Shaver, Bostwick, Gordon.

Nays: Willson (Wentworth), Randal, Hamilton (Wentworth), Wilmot, Baldwin, Walsh, White, Pattie, Horner, Clark, Casey, Kerr, Willson (Prince Edward), Crooks.

The question was carried in the affirmative by the casting vote of the Speaker, and Mr. Crooks was called to the Chair of the Committee.

The House resumed. Mr. Crooks reported the Bill amended.

Mr. Baldwin, seconded by Mr. Wilmot, moves that the Report be not now received.

On which the House divided and the yeas and nays were taken as follows:

Yeas: Messrs. Willson (Wentworth), Hamilton (Wentworth), Wilmot, Baldwin, Walsh, White, Baby, Pattie, Horner, Clark, Randal, Casey, Kerr, Willson (Prince Edward).

Nays: Messrs. Robinson, Jones (Leeds), Burwell, Nichol, Gordon, McMartin, McDonell, Hagerman, Jones (Grenville), Attorney General, Morris, Shaver, McLean (Stormont), Bostwick, Ruttan.

The question was carried in the negative by a majority of one and the Report was received accordingly.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moved that the Midland District Loan Bill be engrossed and read a third time this day, and that the fifth Rule of this House be dispensed with so far as relates to the same.

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Robinson, Jones (Leeds), Burwell, Nichol, Gordon, McMartin, McDonell, Hagerman, Jones (Grenville), Attorney General, Morris, Shaver, McLean (Stormont), Bostwick, Ruttan.

Nays: Messrs.. Willson (Wentworth), Hamilton (Wentworth), Wilmot, Baldwin, Walsh, White, Baby, Pattie, Horner, Clark, Randal, Casey, Kerr, Willson (Prince Edward).

The question was carried in the affirmative by a majority of one and ordered accordingly.

Agreeably to the order of the day the Johnstown Jail and Bridge Bill was read the second time.

Mr. Jones, of Leeds, seconded by Mr. Robinson, moves that the House do now go into Committee of the Whole upon the Johnstown District Jail Bill. Which was carried. Mr. Hagerman was called to the Chair of the Committee.

The House resumed. Mr. Hagerman reported the Bill as amended. Ordered that the Report be received.

Mr. Jones, of Leeds, seconded by Mr. Robinson, moves that the Johnstown District Jail and Bridge Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day the Midland District Loan Bill was read the third time.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that the Midland District Loan Bill do now pass and that it be entitled "An Act to authorize the Justices of the Peace of the Midland District to loan a further sum of money for the purposes therein mentioned." Which was carried and the Bill signed.

Mr. Jones, of Grenville, seconded by Mr. McLean, of Stormont, moves that Messrs. Hagerman and Gordon be a Committee to carry up to the Honorable

the Legislative Council the Bill entitled "An Act to authorize the Justices of the Peace of the Midland District to loan a further sum of money for the purposes therein mentioned," and request their concurrence thereto. Which was ordered.

Mr. Nichol gives notice that he will on to-morrow move for leave to bring in a Bill to Regulate Banking in this Province.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 23rd December, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Baldwin, seconded by Mr. Pattie, moves that he have leave to bring up the Petition of Thomas Appleton. Which was granted and the Petition brought up.

Agreeably to the order of the day, the Johnstown District Gaol and Bridge Bill was read the third time. Mr. Jones of Leeds, seconded by Mr. Burwell, moves that the Bill do now pass and that it be entitled, "An Act to enable the Justices of the Peace of the District of Johnstown to erect a new Gaol and Court House or repair the old one, and to Erect new Bridges over Yonge and Irish Creek." On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (of Leeds), Burwell, Willson (of Wentworth), Wilmot, Pattie, Ruttan, McDonell, Hamilton (of Lincoln), Jones (of Grenville), Attorney General, Kerr, Willson (of Prince Edward), Crooks, McLean (of Stormont), Shaver, Bostwick.

Nays: Messrs. Randal, Hamilton (of Wentworth), Clark, Walsh, Baldwin, Horner.

The question was carried in the affirmative by a majority of ten and the Bill signed.

Mr. Jones of Grenville, seconded by Mr. Hamilton of Lincoln, moves that Messrs. Jones of Leeds and Burwell be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act to enable the Justices of the Peace of District of Johnstown to erect a new Gaol and Court House, or repair the old one, and to erect new Bridges over Yonge and Irish Creek," and request their concurrence thereto. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Jones of Leeds, moves for leave to bring in a Bill for reducing the Duty on Billiard Tables. Which was granted and the Bill read. Mr. Nichol, seconded by Mr. Jones of Leeds, moves that the Billiard Table Duty Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Halton Division Bill was read a second time. Mr. Crooks, seconded by Mr. Morris, moves that this House do now resolve itself into a Committee of the whole to take into consideration the Halton Division Bill. Which was carried and Mr. Clark was called to the Chair of the Committee. The House resumed. Mr. Clark reported the Bill without amendment. Ordered that the Report be received. Mr. Crooks, seconded by Mr. Morris, moves that the Halton Division Bill be engrossed and read a third time on to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Controverted Election Bill. Mr. Hamilton of Lincoln in the Chair. The House resumed, the Black Rod being at the door. Mr. Boulton, the Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled, "An

Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly and the qualification of Voters and candidates of such Elections, and also to provide against fraud in obtaining qualifications to vote at Elections." And the Bill entitled, "An Act to incorporate certain persons therein mentioned under the Title of the Welland Canal Company," which they passed with some amendments, and to which he was directed to request the concurrence of this House, and having withdrawn the Amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to incorporate certain persons therein mentioned under the Style and Title of the Welland Canal Company," were read as follows:

Press 5, Line 14, after the word " thereof " insert, "And be it further enacted by the authority aforesaid, that should the Owner or Owners, Occupier or Occupiers of any Mill Site on the Line of the said Canal, or within five hundred yards thereof, consider the same in any manner injured, or the value thereof in any way depreciated, from the erection of Rival Establishments, or from any other cause growing out of the cutting and making of the said Canal, and for the compensation of which no provision is made in this Act, it shall and may be lawful for the said Company, and they are hereby required to purchase the same at a fair valuation, founded on an average of former years, to be ascertained by Arbitrators as hereinafter provided to ascertain the value of lands and tenements to be purchased, or the amount of damages in any case sustained. Provided always that nothing herein contained shall extend or be construed to extend, to compel the said owner or owners, occupier or occupiers of any such mill sites to sell, convey, or otherwise dispose of the same to the said Company." Mr. Gordon, seconded by Mr. Burwell, moves that the Amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to incorporate sundry persons therein mentioned under the Style and Title of the Welland Canal Company" be read a second time to-morrow. Which was ordered.

The Amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly, and the qualification of voters and candidates at such elections, and also to provide against fraud in obtaining qualifications to vote at elections," were then read as follows:

In the Title, Line 1, after the word " to," expunge " reduce into one Act," and insert, " repeal."

In the Title, Line 3, after the word " elections," insert " and to reduce the provisions thereof with some amendments into one Act."

Press 1, Line 1, after the word " to," expunge " reduce into one Act," and insert " repeal."

Press 1, Line 4, after the word " elections," insert " and to reduce the provisions thereof with some amendments into one Act."

Mr. Nichol, seconded by Mr. Gordon, moves that the Amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly and the qualification of Voters and Candidates at such Elections, and also to provide against fraud in obtaining qualifications to vote at Elections," be read a second time to-morrow.

In amendment, Doctor Baldwin, seconded by Mr. Wilson of Prince Edward, moves that in the original motion the word "to-morrow" be expunged, and the words " this day three months," be inserted. Which was lost.

On the original motion being put, the House divided, and the Yeas and Nays being taken were as follows:

Yeas: Messrs. Burwell, Jones (of Leeds), Gordon, Nichol, Willson (of Wentworth), Clark, Baby, White, Pattie, Horner, Wilmot, Ruttan, McDonell, Kerr, Robinson, McLean (of Stormont), Attorney General, Jones (of Grenville), McMartin, Casey, Crooks, Shaver, Bostwick, Hagerman, Hamilton (of Lincoln).

Nays: Messrs. Randal, Hamilton (of Wentworth), Willson (of Prince Edward), Baldwin, Walsh.

The question was carried in the affirmative by a majority of twenty and ordered accordingly.

The House then went again into Committee on the Controverted Election Bill. Mr. Hamilton of Lincoln in the Chair. The House resumed. Mr. Hamilton reported the Bill amended.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Jones (of Leeds), Nichol, Gordon, Ruttan, Kerr, Robinson, McMartin, McLean (of Stormont), Attorney General, Crooks, Hagerman, Shaver, Bostwick, Jones (of Grenville), Hamilton (of Lincoln).

Nays: Messrs. Randal, Willson (of Wentworth), Hamilton (of Wentworth), Clark, Willson (of Prince Edward), Baldwin, White, Walsh, Baby, Pattie, Horner, Wilmot, McDonell, Casey.

The question was carried in the affirmative by a majority of two, and the Report was ordered to be received.

Mr. Jones, of Grenville, seconded by Mr. Bostwick, moves that the Controverted Election Bill be engrossed and read a third time on to-morrow. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Jones (of Leeds), Nichol, Gordon, Ruttan, Kerr, Robinson, McMartin, McLean (of Stormont), Attorney General, Crooks, Hagerman, Shaver, Bostwick, Jones (of Grenville), Hamilton (of Lincoln), Morris.

Nays: Messrs. Randal, Willson (of Wentworth), Hamilton (of Wentworth), Clark, Willson of Prince Edward, Baldwin, White, Walsh, Baby, Pattie, Horner, Wilmot, McDonell, Casey.

The question was carried in the affirmative by a majority of three and ordered accordingly.

Agreeably to the order of the day, the Prince Edward County Division Bill was read the second time.

Mr. Willson of Prince Edward, seconded by Mr. Kerr, moves that this House do now resolve itself into Committee on the Bill for setting off the County of Prince Edward from the Midland District as a separate District. Which was carried and Mr. Bostwick was called to the Chair of the Committee. The House resumed. Mr. Bostwick reported progress and asked leave to sit again to-morrow. Ordered that the report be received, and leave was granted accordingly.

Mr. Gordon, from the Committee to whom was referred the Petition of the Inhabitants of the Western District of this Province, reported as follows:

The Committee to whom was referred the Petition of certain Inhabitants of the Western District, praying that the House of Assembly will prefer an Appeal in their favor to His Majesty's Government soliciting such a reduction in the Duty on Tobacco exported from this Province and consumed in England, as may serve to encourage the growth of that Article, for which the Western Districts of Upper Canada are said to be particularly favorable, having received such inform-

ation upon the subject as it was in their power to procure, and having considered the matters contained in the Petition, which they have no doubt are correctly stated, have directed their Chairman to report thereon, certain Resolutions which they respectfully recommend to the consideration of the House.

JAMES GORDON, Chairman.

Committee Room, December 23rd, 1823.

Mr. Gordon, seconded by Mr. Burwell, moves that the Resolutions reported by the Special Committee upon the Petition of Sundry Inhabitants of the Western District be referred to a Committee of the whole House on to-morrow. Which was ordered.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor on the subject of a Second Circuit was read the second time.

Mr. Nichol, seconded by Mr. Hamilton of Wentworth, moves that the Address to His Excellency the Lieutenant Governor on the subject of a Second Circuit be concurred in.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Nichol, Willson (of Wentworth), Clark, Hamilton (of Wentworth), Wilmot, Walsh, Kerr.

Nays: Messrs. Jones (of Leeds), Gordon, Randal, McMartin, Robinson, Attorney General, Casey, Jones (of Grenville), McLean (of Stormont), Hagerman, Willson (of Prince Edward), Crooks, Morris, Shaver, Bostwick.

The question was decided in the negative by a majority of seven and lost accordingly.

Mr. Hagerman gives notice that he will on to-morrow move for leave to bring in a Bill to amend the Law establishing a Police in the Town of Kingston.

Mr. Walsh gives notice that he will on Tuesday next move certain Resolutions relative to the arrears of pay due to the Militia of this Province for their services during the late war.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 24th December, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day the Halton Division Bill was read the third time. Mr. Morris, seconded by Mr. Shaver, moves that the Bill do now pass and that it be entitled, "An Act to divide the County of Halton, in the Gore District." Which was carried and the Bill signed.

Mr. Morris, seconded by Mr. Shaver, moves that Messrs. Ruttan and Clark be a Committee to carry to the Honorable the Legislative Council the Bill entitled, "An Act to divide the County of Halton in the Gore District," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petition of William Dalton, of the Town of Kingston, praying for redress of wrongs, and the Petition of Oliver Everts, Esquire, Inspector for the Johnstown District, praying for such remedy as to the House may seem meet, were read.

Mr. Jones, of Grenville, seconded by Mr. Hamilton of Lincoln, moves that the Petition of Oliver Everts, Esquire, be referred to a Select Committee to Report thereon by Bill or otherwise, and that Messrs, Willson of Wentworth and Morris compose the said Committee. Which was ordered.

Agreeably to the order of the day, the Amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to incorporate certain persons therein mentioned under the Style and Title of the Welland Canal Company," were read a second time as follows:

Press 5, Line 14, after the word "thereof," insert "And be it further enacted by the authority aforesaid, that should the owner or owners, occupier or occupiers of any mill sites on the line of the said canal, or within five hundred yards thereof, consider the same in any manner injured, or the value thereof in any way depreciated, from the erection of Rival Establishments, or from any other cause growing out of the cutting and making of the said canal, and for the compensation of which no provision is made in the Act, it shall and may be lawful for the said Company and they are hereby required to purchase the same at a fair valuation, founded on an average of former years, to be ascertained by arbitrators, as hereinafter provided, to ascertain the value of lands and tenements to be purchased, or the amount of damages in any case sustained. Provided always, that nothing herein contained shall extend or be construed to extend to compel the said owner or owners, occupier or occupiers of any such mill sites to sell, convey, or otherwise dispose of the same to the said Company."

Mr. Gordon, seconded by Mr. Burwell, moves that this House do concur in the Amendments made by the Honorable the Legislative Council in and to the Bill entitled "An Act to incorporate certain persons therein mentioned under the Style and Title of the Welland Canal Company." Which was carried and the Amendments were signed by the Speaker.

Mr. Nichol, seconded by Mr. Gordon, moves that Messrs. Burwell and Jones of Leeds be ordered to acquaint the Honorable the Legislative Council that this House has concurred in the Amendments made by that Honorable House in and to the Bill entitled, "An Act to incorporate certain persons therein mentioned under the Style and Title of the Welland Canal Company." Which was ordered.

Agreeably to the order of the day, the Amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly and the qualification of Voters and Candidates at such Elections, and also to provide against fraud in obtaining qualifications to vote at Elections," were read a second time as follows:

In the Title, Line 1, after the word "to," expunge "reduce into one Act," and insert "repeal."

In the Title, Line 3, "after the word "elections," insert "and to reduce the provisions thereof with some amendments into one Act."

Press 1, Line 1, after the word "to," expunge "reduce into one Act" and insert "repeal."

Press 1, Line 4, after the word "elections," insert "and to reduce the provisions thereof with some Amendments into one Act."

Mr. Nichol, seconded by Mr. Burwell, moves that this House do concur in the Amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly, and the qualification of Voters and Candidates at such Elections, and also to provide against fraud in obtaining qualifications to vote at Elections." On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (of Leeds), Burwell, Nichol, Gordon, Clark, Casey,

McMartin, Walsh, Ruttan, McDonell, Hamilton (of Lincoln), McLean (of Stormont), Jones (of Grenville), Attorney General, Morris, Shaver, Bostwick.

Nays: Messrs. Randal, Hamilton (of Wentworth), Baldwin, White, Pattie, Willson (of Prince Edward).

The question was carried in the affirmative by a majority of eleven and the Amendments made by the Honorable the Legislative Council in and to the Bill entitled "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly and the qualifications of Voters and Candidates at such Elections, and also to provide against fraud in obtaining qualifications to vote at Elections," were concurred in and signed by the Speaker.

Mr. Morris, seconded by Mr. Shaver, moves that Messrs. Burwell and Jones of Leeds be a Committee to acquaint the Honorable the Legislative Council that this House has concurred in the Amendments made by them to the Bill entitled, "An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly, and the qualification of Voters and Candidates at such Elections, and also to provide against fraud in obtaining qualifications to vote at Elections." Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Shop License Bill. Mr. Wilmot in the Chair.

The House resumed. Mr. Wilmot reported the Bill as amended. Ordered that the Report be received.

Mr. Ruttan, from the Committee to whom was referred the Petition from the Inhabitants of Otonabee and Asphodel, reported as follows:

To the Honorable the Commons House of Assembly in Provincial Parliament assembled.

The Committee to whom was referred the Petition of the Inhabitants of Otonabee and Asphodel, in the Newcastle District, beg leave to Report,

That a bridge across the River Trent at the lower end of the Rice Lake, the point at which the Petitioners contemplate its erection, is absolutely necessary not only to obviate the difficulties complained of in the Petition, but also for the encouragement of others, who in the event of the attainment of this object will be induced to settle in rear of those waters, the only objection to which, your Committee are assured, is the length of time every year that the inhabitants in that part of the country are deprived of all communication with the old Settlements and Lake Ontario, such communication being an object of the last importance to emigrants thrown upon their own resources in a new country. Taking this view of the subject, and taking also into consideration the great exertions which the present few Settlers will have to make in accomplishing an object which, although of public and future advantage, the Petitioners are nevertheless from their peculiar circumstances compelled to undertake alone, your Committee would not feel justified did they not recommend the prayer of the Petitioners to the most favorable consideration of your House.

HENRY RUTTAN, Chairman.

Mr. Ruttan, seconded by Mr. Wilmot, moves that the Report of the Select Committee upon the Petition of the Inhabitants of Asphodel and Otonabee be referred to the Committee of the whole House on Supply. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McLean (of Stormont), Jones (of Grenville), Nichol, Wilmot,

White, Pattie, Clark, Randal, Ruttan, Hamilton (of Lincoln), Casey, Jones (of Leeds), Attorney General, Kerr, Morris, Hagerman, Bostwick, Shaver.

Nays: Messrs. Burwell, Baby, Gordon, Horner, Hamilton (of Wentworth), Willson (of Wentworth), Walsh.

The question was carried in the affirmative by a majority of eleven and ordered accordingly.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the Shop License Bill be engrossed, and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Wolf Bill. Mr. Casey in the Chair. The House resumed.

Mr. Casey reported progress and asked leave to sit again this day three months.

On the question for receiving the Report the House divided, and the yeas and nays were taken as follows:

Yeas: Messrs. Attorney General, Burwell, Gordon, Casey, Wilmot, Hagerman, Jones (of Leeds), Jones (of Grenville), Walsh, McLean (of Stormont), Morris, Baby, White, Shaver.

Nays: Messrs. Willson (of Wentworth), Hamilton (of Wentworth), Nichol, Clark, Pattie, Ruttan, Hamilton (of Lincoln), Bostwick.

The question was carried in the affirmative by a majority of six, the Report was received and leave granted accordingly.

Agreeably to notice, Mr. Hagerman, seconded by Mr. Jones of Grenville, moves for leave to bring in a Bill to authorize the Members of the House of Assembly to resign their seats therein. Which was granted and the Bill read.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the Resignation Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Census Bill was read the second time.

Mr. Jones of Grenville, seconded by Mr. McLean of Stormont, moves that the House do now resolve itself into a Committee of the whole on the Census Bill. Which was carried, and Mr. Ruttan was called to the Chair of the Committee. The House resumed.

Mr. Ruttan reported the Bill without amendment. Ordered that the Report be received.

Mr. Attorney General, seconded by Mr. McLean of Stormont, moves that the Census Bill be engrossed and read a third time on Friday next. Which was ordered.

Agreeably to the order of the day, the Controverted Election Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. Ruttan, moves that the Bill do pass, and that it be entitled "An Act to repeal an Act passed in the forty-fifth year of His late Majesty's reign entitled, 'An Act to regulate the Trial of Controverted Elections or Returns of Members to serve in the House of Assembly,' and to make more effectual provision for such Trials." On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hagerman, Burwell, Gordon, Jones (of Leeds), Jones (of Grenville), McLean (of Stormont), McMartin, Ruttan, Morris, Kerr, Attorney General, Shaver, Robinson, Bostwick.

Nays: Messrs. Willson (of Wentworth), Hornor, Randal, Clark, Baldwin, Walsh, Casey, Wilmot, Willson of Prince Edward.

The question was carried in the affirmative by a majority of five, and the Bill was signed by the Speaker.

Mr. Morris, seconded by Mr. McLean of Stormont, moves that Messrs. Ruttan and McMartin be a Committee to carry to the Honorable the Legislative Council the Bill entitled, "An Act to repeal an Act passed in the forty-fifth year of His late Majesty's reign entitled, 'An Act to regulate the Trial of Controverted Elections, or Returns of Members to serve in the House of Assembly,' and to make more effectual provision for such trials," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Carrol Relief Bill was read the second time. Mr. Walsh, seconded by Mr. Clark, moves that this House do now resolve itself into a Committee of the whole to take into consideration the Carrol Relief Bill. Which was carried and Mr. Robinson was called to the Chair of the Committee.

The House resumed. Mr. Robinson reported the Bill amended. Ordered that the Report be received.

Mr. Walsh, seconded by Mr. Hornor, moves that the Bill for the relief of James Carrol be engrossed and read a third time on to-morrow. Which was ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. Jones of Grenville, moves that he have leave to bring in a Bill to make good certain moneys advanced upon the Address of this House. Which was granted and the Bill read.

Mr. Morris, seconded by Mr. Kerr, moves that the Bill to make good certain moneys be read a second time to-morrow. Which was ordered.

Mr. Kerr gives notice that he will on Monday next move for leave to bring in a Bill to provide an additional salary for the Assistant Adjutant General of Militia.

Mr. Jones of Leeds gives notice that he will, on Monday next, move that the House do resolve itself into a Committee of the whole to take into consideration that part of His Excellency the Lieutenant Governor's Speech at the opening of the present Session which relates to the sum awarded to this Province by the Arbitrators under the provisions of the Trade Act, not having been paid into the Treasury of this Province.

The House then adjourned till ten o'clock a.m. on Friday next.

Friday, 26th December, 1823.

The House met. Prayers were read. The minutes of Wednesday were read.

Mr. White, seconded by Mr. Pattie, moves for leave to bring up the Petition of Alexander Oliphant Petrie of the Town of Belleville. Which was granted and the Petition brought up.

Agreeably to the order of the day, the Carrol Relief Bill was read the third time.

Mr. Walsh, seconded by Mr. Clark, moves that the Bill do now pass and that it be intitled, "An Act for the Relief of James Carrol." Which was carried and the Bill signed.

Mr. Walsh, seconded by Mr. Baldwin, moves that Messrs. Willson of Wentworth and Clark be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act for the relief of James Carrol," and request the concurrence of that Honorable Body thereto. Which was ordered.

Agreeably to the order of the day, the Petition from Thomas Appleton was read.

Doctor Baldwin, seconded by Mr. Peterson, moves that the House do now resolve itself into a Committee of the whole on the Petition of Thomas Appleton. Which was lost.

Agreeably to the order of the day, the Shop License Bill was read the third time.

Mr. Hagerman, seconded by Mr. Jones of Leeds, moves that the Shop License Bill be now recommitted. Which was carried and Mr. Walsh was called to the Chair of the Committee. The House resumed. Mr. Walsh reported progress and asked leave to sit again on Monday next. Ordered that the report be received and leave was granted accordingly.

Agreeably to the order of the day, the Billiard Table Bill was read the second time.

Mr. Nichol, seconded by Mr. McLean of Stormont, moves that the House do now resolve itself into a Committee of the whole to take the Billiard Table Duty Bill into consideration. Which was carried and Mr. McMartin was called to the Chair of the Committee. The House resumed. Mr. McMartin reported the Bill without amendment.

On the question for receiving the report the House divided and the yeas and nays were taken as follows:

Yeas: Messrs. Jones (Leeds), Burwell, Gordon, McMartin, Baby, Hagerman, Kerr, Morris, Nichol, Shaver, Bostwick.

Nays: Messrs. Clark, Willson (Wentworth), Pattie, Peterson, Baldwin, Walsh, White, Ruttan, McDonell, Casey.

The question was carried in the affirmative by a majority of one, and the report was received accordingly.

Mr. Nichol, seconded by Mr. McLean of Stormont, moves that the Billiard Table Duty Bill be engrossed and read a third time on Tuesday next. Which was ordered.

Agreeably to the order of the day, the Census Bill was read the third time.

Mr. Hagerman, seconded by Mr. Casey, moves that the Census Bill do now pass and that it be entitled, "An Act to repeal part of the second clause of an Act passed in the thirty-third year of His late Majesty's Reign, entitled 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province,' and to make more effectual provision for obtaining an accurate Census of the Population of this Province." Which was carried and the Bill signed.

Mr. Willson of Wentworth, seconded by Mr. Gordon, moves that Messrs. Hagerman and Baldwin be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to repeal part of the second clause of an Act passed in the thirty-third year of His late Majesty's Reign, entitled 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province,' and to make more effectual provision for obtaining an accurate Census of the Population of this Province," and request the concurrence of that Honorable House thereto. Which was ordered.

Agreeably to the order of the day the House went into Committee on the report of the Select Committee on the Western District Petition. Mr. Nichol was called to the Chair. The House resumed.

Mr. Nichol reported that the Committee had agreed to several resolutions which he was directed to submit for the adoption of the House. Ordered that the report be received. The first Resolution was then put and carried as follows:

Resolved, That it is the opinion of this House, that the Restrictions under

which the Bread Stuffs and other bulky commodities of Canada are admitted into Great Britain: the state of the markets in other places to which they are permitted to be exported, and the impediments which render the transportation of them from the remote districts of Upper Canada both difficult and expensive, have caused the value of these staples in those districts to be greatly depreciated, and have checked their Agricultural and Commercial prosperity.

The second Resolution was then put and carried as follows:

Resolved, That actual experiment has proved that the climate and soil of those districts are generally well adapted to the culture of tobacco, which if encouraged by the certainty of a remunerating price to the grower, would be cultivated in considerable quantities, thereby enabling the inhabitants to pay for the large supplies of manufactures they require from the Mother Country.

The third Resolution was then put on which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Burwell, Nichol, Gordon, Clark, McMartin, Pattie, Peterson, Baldwin, White, Bostwick, Casey, Jones (Grenville), Shaver, Morris, McDonell, Willson (Prince Edward), Hagerman, Kerr, Robinson, Ruttan.

Nays: Messrs. Willson (Wentworth), Walsh.

The question was carried in the affirmative by a majority of nineteen and it was

Resolved, That it has been sufficiently proved, that the tobacco of Upper Canada from being cultivated by a free instead of a slave population, from its less easy access to market, and from other causes costs twopence halfpenny per pound more when imported into Great Britain, than the same article brought from the United States of America, and consequently that it cannot compete with it in the Mother Country, where no duties, it is believed, are levied on its importation.

The fourth Resolution was then put and carried as follows:

Resolved, That if an abatement of threepence per pound in favor of tobacco produced in Upper Canada were made in the Excise Duty imposed upon that article in Great Britain when taken out of the warehouse for consumption, it would afford sufficient encouragement to the grower and lead without doubt to its general cultivation in the Western Districts of this Province.

The Fifth Resolution was then put and carried as follows:

Resolved, That such a measure on the part of the Mother Country would induce the rapid population of those remote sections of Upper Canada, which though highly favored in regard to climate and soil require some peculiar advantage of this description to compensate for their remoteness from market, and that it would add most materially to the strength and value of the Province in general, by the introduction of capital, give an impulse to improvements of every kind, and enable a much greater portion of its inhabitants to become profitable consumers of the manufactures of Great Britain.

The Sixth Resolution was then put and carried as follows:

Resolved, That in the opinion of this House it is expedient to Address His Most Gracious Majesty, praying that His Majesty would recommend to His Parliament to grant the indulgence suggested in the foregoing Resolutions.

Mr. Gordon, seconded by Mr. Burwell, moves that it be resolved, that a copy of the Resolutions of this House on the Tobacco Trade of this Province be sent to the Honorable the Legislative Council and that That Honorable House be requested to concur therein. On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Burwell, Nichol, Gordon, Clark, McMartin, Pattie, Peterson, Baldwin, White, Ruttan, Hagerman, Attorney General, Kerr, Robinson, Casey, Willson (Prince Edward), McDonell, Morris, Shaver, Bostwick.

Nays: Messrs. Walsh, Jones (Grenville).

The question was carried in the affirmative by a majority of nineteen and ordered accordingly.

Mr. Nichol, seconded by Mr. Jones of Leeds, moves that Messrs. Gordon and Burwell be directed to carry up to the Honorable the Legislative Council the resolutions of this House on the Tobacco Trade of this Province. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Prince Edward Division Bill. Mr. Bostwick in the Chair. The House resumed. Mr. Bostwick reported the Bill amended. On the question for receiving the report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson (Prince Edward), Nichol, Burwell, Clark, Willson (Wentworth), Peterson, Pattie, Jones (Leeds), Shaver, Morris, Bostwick.

Nays: Messrs. Walsh, White, Ruttan, Casey, Jones (Grenville), Attorney General, McLean (Stormont).

The question was carried in the affirmative by a majority of four, and the report was received accordingly.

Mr. Willson of Prince Edward, seconded by Mr. Burwell, moves that the Prince Edward Division Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to notice Mr. Attorney General, seconded by Mr. Jones of Grenville, moves for leave to bring in a Bill to alter the periods of the Terms of Hilary and Michaelmas. Which was granted and the Bill read.

Mr. Attorney General, seconded by Mr. Jones of Leeds, moves that the King's Bench Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the Assessment Bill was read the second time.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the House do now resolve itself into a Committee of the whole on the Assessment Bill. Which was carried and Mr. Peterson was called to the Chair of the Committee.

The House resumed. Mr. Peterson reported progress and asked leave to sit again to-morrow. Ordered that the report be received and leave was granted accordingly. Agreeably to notice, Mr. Nichol, seconded by Mr. Robinson, moves that he have leave to bring in a Bill for regulating Banking Institutions in this Province. Which was granted and the Bill read.

Mr. Nichol, seconded by Mr. Robinson, moves that the Banking Regulation Bill be read a second time on Monday next. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Saturday, 27th December, 1823.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day the Prince Edward Division Bill was read the third time.

Mr. Willson of Prince Edward, seconded by Mr. Nichol, moves that the Midland District Division Bill do now pass and that it be entitled "An Act to provide for the Erection of the County of Prince Edward into a separate District,

and for other purposes therein mentioned." On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson (Prince Edward), Nichol, Randal, McMartin, Clark, Peterson, Baldwin, Horner, Pattie, McDonell, Kerr, Morris, Bostwick.

Nays: Messrs. Jones (Leeds), Gordon, Walsh, Ruttan, Jones (Grenville).

The question was carried in the affirmative by a majority of eight and the Bill was signed.

Mr. Nichol, seconded by Mr. McMartin, moves that Messrs. Burwell and Willson of Prince Edward be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to provide for the Erection of the County of Prince Edward into a separate District, and for other purposes therein mentioned," and to request their concurrence thereto. On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson (Prince Edward), Nichol, Randal, McMartin, Clark, Peterson, Horner, Pattie, Hagerman, Kerr, McDonell, Bostwick, Morris.

Nays: Messrs. Jones (Leeds), Gordon, Baldwin, Walsh, Ruttan, Jones (Grenville).

The question was carried in the affirmative by a majority of seven and ordered accordingly.

Agreeably to the order of the day, the Salmon Fishery Bill was read the second time.

Mr. Baldwin, seconded by Mr. Peterson, moves that the House do now resolve itself into a Committee of the whole on the Salmon Fishery Bill. Which was carried and Mr. Morris was called to the Chair of the Committee. The House resumed. Mr. Morris reported progress and asked leave to sit again on Monday next. Ordered that the report be received and leave was granted accordingly.

Mr. Jones of Grenville, from the Committee to whom was referred the Petition of Juda Trumble reported as follows:

To The Honorable The Commons House of Assembly of the Province of Upper Canada in Provincial Parliament Assembled.

The Select Committee to whom was referred the Petition of Juda Trumble, report,

That they have taken the same into consideration, but cannot recommend a compliance with the prayer therein contained, in as much as they can see nothing in the case of the Petitioner which can distinguish it from other cases to which the Legislature has not thought it expedient to extend the benefit of a pension.

All which is respectfully submitted.

JONAS JONES.
ARCH McLEAN.

Committee Room, 27th December, 1823.

Agreeably to the order of the day, the House went into Committee on the Assessment Bill. Mr. Peterson in the Chair. The House resumed. Mr. Peterson reported progress and asked leave to sit again on Monday next. Ordered that the report be received and leave was granted.

Agreeably to the order of the day, the House went into Committee of Supply. Mr. Casey in the Chair. The House resumed. The Doors were closed. The Doors were opened. Mr. Casey reported progress and asked leave to sit again on Monday next. Ordered that the Report be received and leave was granted accordingly.

The House then adjourned till Monday at ten o'clock, a.m.

Monday, 29th December, 1823.

The House met. Prayers were read. The minutes of Saturday were read.

Mr. Morris, Seconded by Mr. Jones of Grenville, moves for leave to bring up the Petition of Matthew Leech of the Town of Brockville in the Johnstown District. Which was granted and the Petition brought up.

Mr. Jones of Grenville, seconded by Mr. Ruttan, moves that Mr. Shaver, Member for the County of Dundas, have leave of absence for the remainder of the Session. Which was granted.

Agreeably to the order of the day, the Petition of Alexander Oliphant Petrie praying for an exclusive right of ferrying across the Bay of Quinté at Belleville was read.

Mr. White, seconded by Mr. Pattie, moves that the Petition of Alexander Oliphant Petrie be referred to a Select Committee and that Messrs. Hagerman and Jones of Grenville do compose the same, and that they have leave to report by Bill or otherwise. Which was ordered.

Mr. Willson of Wentworth, from the Committee to whom was referred the Petition of Oliver Everts reported as follows:

The Committee of your Honorable House to whom was referred the Petition of Oliver Everts, Esquire, Inspector of the Johnstown District, to report thereon has taken the same into consideration, but not having sufficient information to enable them to report favorably and having no prospect of procuring the same the present Session, recommend that the matter be not taken up till the next Session of Parliament.

Committee Room, John Willson,
27th December, 1823. Chairman of Committee.

Mr. Morris, seconded by Mr. McLean, moves that a Committee of three Members be appointed to examine the Journals of The Honorable the Legislative Council, and to report the proceedings of that Honorable House on the Resolution sent up by this House on the claims of the Clergy of the Church of Scotland, and that Messrs. Nichol, Gordon and Crooks do compose the same. Which was ordered.

Agreeably to notice, Mr. Baldwin, seconded by Mr. Wilmot, moves that it be resolved, that Immigration into this Province has been, during the last two years, greatly retarded, and great numbers of British subjects arriving in Lower Canada have passed into the United States of America.

In amendment, Mr. Willson of Wentworth, seconded by Mr. Hamilton of Wentworth, moves that after the word "moves" in the original motion the whole be expunged, and the following inserted, "that the House do on to-morrow resolve itself into a Committee of the whole to take the resolution into consideration." Which was carried.

The original question as amended was then put and carried.

Agreeably to the order of the day, the Resignation Bill was read the second time.

Agreeably to the order of the day, the Bill to make good certain moneys was read the second time.

Mr. Morris, seconded by Mr. Crooks, moves that the House do resolve itself into a Committee of the whole on the Bill to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor in pursuance of the Address of this House during the last Session. Which was carried and Mr. Walsh was called to the Chair of the Committee.

The House resumed. Mr. Walsh reported the Bill without amendment. Ordered that the report be received.

Mr. Morris, seconded by Mr. Crooks, moves that the Bill to make good certain moneys be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the King's Bench Bill was read the second time.

Mr. Attorney General, seconded by Mr. Ruttan, moves that the House do now resolve itself into a Committee of the whole, on the King's Bench Bill. Which was carried and Mr. Hamilton of Wentworth was called to the Chair of the Committee.

The House resumed. Mr. Hamilton reported the Bill without amendment. Ordered that the report be received.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the King's Bench Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the Resignation Bill be now referred to a Committee of the whole House. Which was carried and Mr. Randal was called to the Chair of the Committee.

The House resumed. Mr. Randal reported progress and asked leave to sit again this day three months.

On the question for receiving the report the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson (Wentworth), Hamilton (Wentworth), Wilmot, Attorney General, Baldwin, Walsh, White, Baby, Pattie, Clark, Ruttan, Robinson, Kerr, Peterson, Willson (Prince Edward), Morris, Bostwick.

Nays: Messrs. Nichol, Jones (Leeds), Casey, Gordon, Jones (Grenville), Hamilton (Lincoln), Hagerman, Crooks, McLean (Stormont), McDonell.

The question was carried in the affirmative by a majority of seven, the report received, and leave granted accordingly.

Mr. Boulton, Master in Chancery, brought down from The Honorable The Legislative Council the Bill entitled, "An Act further to regulate by Law the Commercial Intercourse of the Province of Upper Canada with the United States of America," which they had passed, and a message, and having withdrawn the Speaker read the message as follows:

Mr. Speaker: The Honorable the Legislative Council request a Conference with the Commons House of Assembly on the subject matter of the Bill entitled "An Act to authorize the Justices of the Peace of the Midland District to loan a further sum of money for the purposes therein mentioned," and have appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at 3 o'clock p.m. this day.

WM. DUMMER POWELL, Speaker.

Legislative Council Chamber,
29th December, 1823.

Mr. Jones, of Grenville, seconded by Mr. Casey, moves that Messrs. Hagerman, Morris, McLean and Crooks be a Committee to confer with the Committee of the Honorable the Legislative Council on the subject matter of the Bill entitled "An Act to authorize the Justices of the Peace of the Midland District to loan a further sum of money for the purposes therein mentioned." Which was ordered.

Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves that Messrs. McDonell and Bostwick be a Committee to inform the Honorable the Legislative Council that this House has concurred in the request of that Honorable House, for a Conference on the Bill entitled "An Act to authorize the Justices of the Peace of the Midland District to loan a further sum of money for the purposes therein mentioned." Which was ordered.

Mr. Jones, of Grenville, seconded by Mr. Casey, moves that it be Resolved, that a Select Committee be appointed to search for precedents as to the usual mode of receiving Messages by the Lords from the Commons and to report thereon for the information of the House, and that Messrs. Nichol, Hagerman and Jones, of Leeds, do constitute the said Committee. Which was carried.

Agreeably to notice, Mr. Baldwin, seconded by Mr. Wilmot, moves that it be Resolved,

1st. That the Commercial Interests of this Province are at present greatly contracted as well by the infancy of the Province as by its peculiar geographical position, and are deserving of the attention of the Legislature in all points.

2nd. That this Province has already sustained much inconvenience by reason of its distance from the Sea, which inconvenience would in some measure be lessened by a designation of the Northern and North-western Boundary in such extent as to embrace a Port on Hudson's Bay.

3rd. That notwithstanding the remoteness of such Port on Hudson's Bay, and the present apparent insignificance of the object, yet, such an acquisition would be of the greatest importance in future times.

4th. That the Province of Upper Canada has lately sustained the loss of a considerable share of the fur trade, by the late coalition between the Hudson's Bay Company and the North-west Company, of Canada. Which is the more unreasonable as a great part of the furs exported, at Hudson's Bay, are caught within the confines of Upper Canada.

5th. That an humble Address be presented to His Majesty praying His Majesty may please to issue His Royal Proclamation declaring the Boundary of this Province as follows, that is to say, from the head of the Ottawa River, which now forms part of the boundary between the Provinces of Lower and Upper Canada, through the centre of Lake Temmiskawin, up the principal Northern Stream which falls into the said Lake, thence overland into the Abbatibbee Lake at its Eastern extremity, thence through the centre of the last mentioned Lake, thence down the Abbatibbee River till it joins the Moose River, thence down the Moose River till it falls into James' Bay, thence along the Coast of James' Bay to the Albany River, then up the centre of the stream of Albany River, and through the most direct and practicable Westerly course along the water communication to Osnabrough House on St. Joseph's Lake, thence through the centre of this last mentioned Lake Westward, thence over land by the shortest route to Sal Lake, thence through its centre to the Western points thereof, thence by the largest stream communicating with the Lake of the Woods, to the Boundary between this Province and the United States of America.

In amendment Mr. Nichol, seconded by Mr. Hamilton, of Wentworth, moves that after the word "that" in the original motion, the whole be expunged and that the words "this House do on to-morrow resolve itself into a Committee of the Whole to take into consideration the propriety of addressing His Majesty for an extension of the Provincial Boundary towards the North-west" be inserted. Which was carried.

The Original question as amended was then put and carried.

Agreeably to notice Mr. Hagerman, seconded by Mr. Jones, of Grenville, moves for leave to bring in a Bill to alter and amend the Laws now in force establishing a Police in the Town of Kingston. Which was granted and the Bill read.

Mr. Hagerman, seconded by Mr. Hamilton, of Lincoln, moves that the Kingston Police Bill be read a second time on to-morrow. Which was ordered.

Agreeably to notice, Mr. Willson, of Wentworth, seconded by Mr. Hamilton, of Wentworth, moves for leave to bring in a Bill to amend and extend the provisions of an Act passed in the fifty-sixth year of His late Majesty's Reign, granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the regulation of the said Commons Schools. And also an Act passed in the first year of His Majesty's Reign to amend and continue under certain modifications the above recited Act. Which was granted and the Bill read.

Mr. Willson, of Wentworth, seconded by Mr. Hamilton, of Wentworth, moves that the Bill to amend and extend the provisions of the Common School Laws be read a second time on to-morrow. Which was ordered.

Agreeably to notice Mr. Kerr, seconded by Mr. Clark, moves for leave to bring in a Bill to increase the Salary of the Assistant Adjutant General of Militia. Which was granted and the Bill read.

Mr. Kerr, seconded by Mr. Clark, moves that the Assistant Adjutant General's Salary Bill be read a second time on to-morrow. Which was ordered.

Agreeably to the order of the day the House went into Committee on the Shop License Bill. Mr. Wilmot in the Chair.

The House resumed. Mr. Wilmot reported the Bill as amended. Ordered that the Report be received.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Shop License Bill be engrossed and read a third time on to-morrow. Which was ordered.

Agreeably to the order of the day, the Banking Regulation Bill was read the second time.

Mr. Nichol, secconded by Mr. McLean, of Stormont, moves that the House do on to-morrow resolve itself into a Committee of the whole to take the Banking Bill into consideration. Which was ordered.

Agreeably to the order of the day the House went into Committee on the Salmon Fishery Bill. Mr. Morris in the Chair.

The House resumed. Mr. Morris reported progress and asked leave to sit again to-morrow. Ordered that the Report be received and leave was granted accordingly.

Mr. Hamilton, of Lincoln, gives notice that he will on to-morrow move for leave to bring in a Bill to amend an Act now in force respecting the Courts of Probate and Surrogate in this Province.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 30th December, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day the Billiard Table Bill was read the third time.

Mr. Nichol, seconded by Mr. Jones, of Leeds, moves that the Billiard Table Duty Bill do now pass and that it be entitled "An Act to repeal part of and to amend an Act passed in the fiftieth year of the Reign of His late Majesty

George the third entitled 'An Act for granting to His Majesty a Duty on Billiard Tables.'"

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Grenville), Nichol, Jones (Leeds), Burwell, Gordon, Hamilton (Lincoln), Chisholm, Robinson, Crooks, Morris, McMartin, Bostwick, McLean (Stormont).

Nays: Messrs. Randal, Willson (Wentworth), Wilmot, Baldwin, Walsh, Pattie, Clark, Casey, McDonell, Willson (Prince Edward).

The question was carried in the affirmative by a majority of three and the Bill was signed.

Mr. Morris, seconded by Mr. Crooks, moves that Messrs. Burwell and Jones, of Leeds, be a Committee to carry to the Honorable the Legislative Council the Bill entitled "An Act to repeal part of and to amend an Act passed in the fiftieth year of the Reign of His late Majesty George the Third entitled 'An Act for granting to His Majesty a Duty on Billiard Tables,'" and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day the Bill to make good certain moneys was read the third time.

Mr. Morris, seconded by Mr. McMartin, moves that the Bill do now pass and that it be entitled "An Act to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor in pursuance of the Address of the House of Assembly during the last Session." Which was carried and the Bill signed.

Mr. Jones, of Leeds, seconded by Mr. Nichol, moves that Messrs. Burwell and Morris be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor in pursuance of the Address of the House of Assembly during the last Session," and to request their concurrence thereto. Which was ordered.

Agreeably to the Order of the day the King's Bench Bill was read the third time.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the Bill do now pass and that the title be "An Act to alter the times of holding the Terms of Hilary and Michaelmas." Which was carried and the Bill signed.

Mr. Morris, seconded by Mr. Crooks, moves that Messrs. Hagerman and McMartin be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act to alter the times of holding the Terms of Hilary and Michaelmas," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day the Shop License Bill was read the third time.

Mr. Hagerman, seconded by Mr. Hamilton, of Lincoln, moves that the Shop License Duty Bill do now pass, and that it be entitled "An Act to continue and amend an Act passed in the fifty-eighth year of His late Majesty's Reign entitled 'An Act to continue the Laws now in force for granting an additional Duty on Shop Licenses,' and to require persons selling spirituous liquors by wholesale to take out a license for that purpose." Which was carried and the Bill signed.

Mr. Hagerman, seconded by Mr. Hamilton, of Lincoln, moves that Messrs. Jones, of Leeds, and Burwell be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act to continue and amend an Act passed in the fifty-eighth year of His late Majesty's Reign, entitled 'An Act to

continue the Laws now in force for granting an additional duty on Shop Licenses, and to require persons selling Spirituous Liquors by wholesale to take out a License for that purpose,'" and to request the concurrence of that Honorable House thereto.

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Gordon, Willson (Wentworth), Randal, Peterson, Walsh, Pattie, Hamilton (Lincoln), Hagerman, Willson (Prince Edward), Robinson, Crooks, Morris, McMartin, Bostwick.

Nays: Messrs. Hamilton (Wentworth), Wilmot, Ruttan, Casey, McDonell, Chisholm, Clark, Kerr.

The question was carried in the affirmative by a majority of six and ordered accordingly.

Mr. Gordon From the Committee appointed to examine the Journals of the Honorable the Legislative Council and to report the proceedings of that Honorable House on the Resolutions sent up from this House on the claims of the Clergy of the Church of Scotland, reported as follows:

The Select Committee appointed by order of the Commons House of Assembly to examine the Journals of the Honorable the Legislative Council, and report their proceedings on certain Resolutions sent up from the House of Assembly to that Honorable Body, on the subject of the claims of the Church of Scotland, and requesting their concurrence therein, submits the following Report:

That on this day your Committee proceeded to the Honorable the Legislative Council Chamber and examined the Journals of that Honorable House, from which they have made the following extracts; that is to say:

Thursday, 18th December, 1823.

Resolutions brought up.

Message and Resolutions were read.

Ordered that the House do on Tuesday next resolve itself into a Committee of the Whole to take the same into consideration.

Tuesday, 23rd December, 1823.

Pursuant to order the House resolved itself into a Committee of the Whole to take into consideration the Resolutions on the subject of the claims of the Church of Scotland, received from the Commons House of Assembly on Thursday last.

House in Committee.

Mr. McIntosh in the Chair.

The Speaker resumed the Chair.

The Chairman reported that the Committee had taken the said Resolutions into consideration, and would not recommend them for the concurrence of the House, and the question being put, if the Report be accepted, it was carried in the affirmative.

On motion made and seconded, the contents and non-contents were taken as follows:

Contents: The Hon. James Baby, Rev. John Strachan, Angus Mackintosh, Joseph Wells, Duncan Cameron, George H. Markland.

Non-Contents: The Hon. John McGill, William Dickson, Thomas Clark, George Crookshank, John Henry Dunn.

All which is respectfully submitted. ROBERT NICHOL, Chairman.

Committee Room, House of Assembly,
29th December, 1823.

Mr. Morris, seconded by Mr. Crooks, moves that Messrs. Nichol and McLean, of Stormont, be a Committee to draft an Address to His Majesty founded on the Resolutions of this House relative to the claims of the Clergy of the Church of Scotland, and to report the same. Which was ordered.

Agreeably to notice Mr. Crooks, seconded by Mr. Willson, of Wentworth, moves for leave to bring in a Bill to amend the Act passed last Session of this Parliament for making a Navigable Canal between Burlington Bay and Lake Ontario. Which was granted and the Bill read.

Mr. Crooks, seconded by Mr. Chisholm, moves that the Burlington Bay Canal Amendment Bill be read a second time on Friday next. Which was ordered.

Agreeably to the order of the day the House went into Committee on the Kingston Bank Bill. Mr. Chisholm in the Chair.

The House resumed. Mr. Chisholm reported progress and asked leave to sit again to-morrow. Ordered that the Report be received and leave was granted accordingly.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Hagerman, moves for leave to bring in a Bill to make perpetual a certain Act of this Province passed in the fifty-ninth year of His late Majesty's Reign relative to Highways and Roads and to amend the Laws of this Province relative to Highways. Which was granted and the Bill read.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the Highway Bill be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day the House went into Committee on the Assessment Bill. Mr. Peterson in the Chair.

The House resumed, the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled "An Act to authorize the Justices of the Peace of the Midland District to loan a further sum of money for the purposes therein mentioned," which they had passed without amendment, and withdrew.

The House went again into Committee on the Assessment Bill. Mr. Peterson in the Chair.

The House resumed. Mr. Peterson reported the Bill as amended.

On the question for receiving the Report the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Chisholm, Ruttan, Gordon, Willson (Wentworth), Hamilton (Wentworth), Clark, Pattie, Horner, Jones (Grenville), Peterson, Robinson, Attorney General, Crooks, Morris, Jones (Leeds), Bostwick.

Nays: Messrs. Burwell, Randal, Wilmot, Baldwin, Walsh, Hagerman, McLean (Stormont), Hamilton (Lincoln), Casey, McMartin, Nichol.

The question was carried in the affirmative by a majority of five and the Report received.

Mr. Attorney General, seconded by Mr. Jones, of Grenville, moves that the Assessment Bill be engrossed and read a third time on Thursday next. Which was ordered.

Mr. Baldwin gives notice that he will on Friday next move for leave to bring in a Bill for laying the foundation of a University within this Province.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 31st December, 1823.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day the Petition of Matthew Leech, praying that his case may be taken into consideration, and such relief granted as may seem meet, was read.

Agreeably to notice Mr. Jones, of Leeds, seconded by Mr. Hagerman, moves that this House do now resolve itself into a Committee of the Whole to take into consideration that part of His Excellency the Lieutenant Governor's speech at the opening of this Session which relates to the sum awarded this Province by the Arbitrators appointed under the Trade Act. Which was carried, and Mr. Casey was called to the Chair of the Committee.

The House resumed. Mr. Casey reported that the Committee had agreed to a Resolution which he was directed to submit for the adoption of the House. Ordered that the Report be received.

The Resolution was then put and carried as follows:

Resolved, that an humble Address be presented to His Excellency the Lieutenant Governor requesting that he will be pleased to inform this House whether the Governor of the Province of Lower Canada has issued his Warrant upon the Receiver General of that Province in favor of the Receiver General of this Province for the sum awarded to this Province by the Arbitrators appointed under the authority of the Trade Act. And further to inform this House if the same has been paid, or is likely to be immediately paid.

Mr. Jones of Leeds, seconded by Mr. Hagerman, moves that Messieurs. Crooks and Morris be a Committee to draft an Address to His Excellency the Lieutenant Governor upon the foregoing Resolution. Which was ordered.

Agreeably to the order of the day, the Common School Bill was read the second time.

Mr. Willson of Wentworth, seconded by Mr. Hamilton of Wentworth, moves that the house do now resolve itself into a Committee of the whole to take the Common School Bill into consideration. Which was carried, and Mr. Baby was called to the Chair of the Committee.

The House resumed. Mr. Baby reported the Bill without amendment. Ordered that the Report be received.

Mr. Willson of Wentworth, seconded by Mr. Peterson, moves that the Common School Amendment Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled, "An Act to repeal part of the second clause of an Act passed in the thirty-third year of His late Majesty's reign entitled, 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province,' and to make more effectual provision for obtaining an accurate Census of the Population of this Province," which they had passed without amendment, and withdrew.

Agreeably to the order of the day the Kingston Police Bill was read the second time.

Mr. Hagerman, seconded by Mr. Attorney General, moves that the House do now resolve itself into a Committee of the whole on the Kingston Police Bill. Which was carried and Mr. Clark was called to the Chair of the Committee.

The House resumed to receive a Message.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor several Messages, and having withdrawn the Messages were read as follows:

P. Maitland.

The Lieutenant Governor transmits to the House of Assembly a Copy of the Report of the Commissioners appointed under the Act for the improvement of the Internal Navigation of the Province, together with their accounts of the expenditure for that object.

Government House, 31st December, 1823.

P. Maitland.

The Lieutenant Governor thinks proper to transmit for the information of the House of Assembly the following extract from a Dispatch which he has recently received from His Majesty's Principal Secretary of State for the Colonies, respecting the distribution of the sum appropriated by His Majesty for the compensation of Losses sustained by the inhabitants of this Province during the late War.

Government House, 31st December, 1823.

"If, however, the Province shall provide Funds arising from new Taxes to be specially imposed for that purpose, and in no degree hazarding the appropriation of the existing Revenue, by which Funds the Province may be enabled to take upon itself the annual payment of some portion of the Civil Establishment, the expense of which is now defrayed by Parliament, I should in that case be disposed to recommend to the Treasury the propriety of sanctioning a further grant in aid of the Claimants, bearing a proportion to the diminution of the Annual Grant of the British Parliament, which may be effected by the Assembly taking a proportion of that payment on themselves."

Mr. Nichol, seconded by Mr. Ruttan, moves that it be ordered that the House do on Friday next resolve itself into a Committee of the whole to take into consideration the Report of the Commissioners of Inland Navigation and other documents transmitted by His Excellency the Lieutenant Governor. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Chisholm, moves that one hundred copies of the Report of the Commissioners appointed under the Act for the Improvement of the Internal Navigation of this Province be printed for the use of this House. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Chisholm, moves that it be Resolved, that an humble Address be presented to His Excellency the Lieutenant Governor thanking him for his Messages of this day, communicating to this House "a Copy of the Report of the Commissioners appointed under the Act for the improvement of the internal Navigation of this Province, together with their accounts of the expenditure for that object." And also "an Extract from a Despatch which he has recently received from His Majesty's Principal Secretary of State for the Colonies, respecting the distribution of the sum appropriated by His Majesty for the compensation of losses sustained by the inhabitants of this Province during the late war," and that Messrs. Hagerman and Gordon be a Committee to draft the said Address. Which was ordered.

Mr. Nichol, seconded by Mr. Clark, moves that it be ordered that this House do on Monday next resolve itself into a Committee of the whole to take into consideration the Message of His Excellency the Lieutenant Governor respecting the Claims for Losses by the Sufferers during the late War. Which was ordered.

The House again went into Committee on the Kingston Police Bill.

The House resumed. Mr. Clark reported progress and asked leave to sit again to-morrow. Ordered that the Report be received and leave was granted accordingly.

Mr. McLean of Stormont, from the Committee to draft an Address to His Majesty on the subject of the Claims of the Church of Scotland, reported a draft which was received and read the first time.

Mr. Morris, seconded by Mr. Crooks, moves that the Address to His Majesty be read a Second time to-morrow. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Thursday, January 1st, 1824.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Common School Amendment Bill was read the third time.

Mr. Crooks, from the Committee to draft an Address to His Excellency the Lieutenant Governor on the subject of the Sum awarded by the Arbitrators, reported a Draft, which was received and read the first time.

Mr. Crooks, seconded by Mr. Jones of Leeds, moves that the Address to His Excellency the Lieutenant Governor be read a second time this day, and that the Fifth Rule of this House be dispensed with in so far as it relates to the same. Which was carried and the Address was read the second time.

Mr. Crooks, seconded by Mr. Jones of Leeds, moves that the Address to His Excellency the Lieutenant Governor be concurred in, and engrossed and read a third time this day.

In amendment, Mr. Nichol, seconded by Mr. McLean of Stormont, moves that after the word "that" in the original motion the whole be expunged, and that the words "The House do now resolve itself into a Committee of the whole to take the Address to His Excellency the Lieutenant Governor into consideration," be inserted. Which was carried.

The original question as amended was then put and carried.

Mr. Hamilton of Wentworth was called to the Chair of the Committee.

The House resumed. Mr. Hamilton reported the Address as amended. Ordered that the Report be received.

Mr. Crooks, seconded by Mr. Jones of Leeds, moves that the Address to His Excellency the Lieutenant Governor be engrossed and read the third time this day. Which was ordered.

Mr. Willson of Wentworth, seconded by Mr. Hamilton of Wentworth, moves that the School Bill do now pass, and that it be entitled, "An Act to make permanent and extend the provisions of the Laws now in force for the establishment and regulation of Common Schools throughout this Province, and for Granting to His Majesty a further sum of money to promote and encourage Education within the same." Which was carried and the Bill signed.

Mr. Willson of Wentworth, seconded by Mr. Burwell, moves that Messieurs Jones of Leeds and Hagerman be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to make permanent and extend the provisions of the Laws now in force for the establishment and regulation of Common Schools throughout this Province, and for granting to His Majesty a further sum of money to promote and encourage Education within the same," and request the concurrence of that Honorable House thereto. Which was ordered.

Agreeably to the order of the day the Assessment Bill was read the third time.

Mr. Hagerman, seconded by Mr. McLean of Stormont, moves that the Assessments Bill be now re-committed. On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Hagerman, Casey, Clark, Randal, Walsh, McMartin, McDonell, Crooks, Nichol, McLean (of Stormont).

Nays: Messrs. Jones of Leeds, Burwell, Ruttan, Willson (of Wentworth), Hamilton (of Wentworth), Pattie, White, Horner, Baby, Peterson, Jones (of Grenville), Willson (of Prince Edward), Attorney General, Robinson, Gordon, Morris, Bostwick.

The question was decided in the Negative by a majority of seven, and lost accordingly.

Mr. McLean of Stormont, seconded by Mr. McMartin, moves that the following clauses be added as a Rider to the Assessment Bill:

"And Whereas it is expedient to enable persons holding Lands in several Districts of this Province to pay the Rates and Taxes on the same to the Treasurer of the District in which they may reside, be it therefore enacted by the authority aforesaid that from and after the passing of this Act, it shall and may be lawful for any Person or Persons holding or owning Lands in any District in this Province which are not returned on the Assessment Roll of any Township or Place therein, to pay the Rates on such Lands to the Treasurer of the District in which he, she, or they or their Agent or Agents may reside, and the Treasurer who may receive such Rates, shall and he is hereby required, on being requested so to do, give a Receipt for the same, specifying the Amount paid, the period for which it is paid, the Lot or parcel of Land on which the same is paid, and the Concession or Township in which such Land is situated, provided the same is out of the Limits of his District."

"And be it further enacted, by the authority aforesaid, that it shall be the Duty of the Treasurer of any District receiving Rates or Assessments under this Act on any lands not situated in his District to keep an exact and accurate account of the moneys which he shall receive, and the Lots, Parcels, or Tracts of Land on which the same may be paid and the Concessions and Townships on which they may be situated, and the periods for which such Rates are paid, a Copy of which Account verified upon oath, he shall transmit annually on or before the first day of January to the Treasurer of the District in which the Land may be situated, and he shall at the same time transmit the amount which he may have received, after deducting Three per Cent. for this trouble."

"And be it further enacted by the authority aforesaid, That the Treasurer of any District on receiving from the Treasurer of any other District, shall immediately credit the lands specified in the Schedule accompanying the money with the full amount of taxes thereon, for the period specified in the said Schedule, if, on examination the sum transmitted, together with Three per Cent. thereon shall be found sufficient for that purpose."

"And be it further enacted by the authority aforesaid, That it shall be the Duty of the Treasurer of every District who may receive any Rates or Taxes from the Treasurer of any other District, to transmit to such Treasurer within one month after the same shall be received a Receipt specifying the Lots, Parcels, or Tracts of Land, on which such Rates or Taxes are paid, the amount thereof, the periods for which the same are paid, and the Concessions, Townships and

Districts in which the Lands are situated, which receipt the Treasurer who may have received the taxes in the first instance shall show to any Person interested thereon, on being required so to do, and on payment to him of sixpence for his trouble."

"And be it further enacted by the authority aforesaid, That the Magistrates in General Quarter Sessions assembled, shall, at the General Quarter Sessions to be held next after the first day of January in each year, examine into the Accounts of the Treasurer required to be kept under this Act, and if it shall appear to them in evidence that the Returns hereby required to be sent to the Treasurers of other Districts have not been sent, or that the money has not been transmitted, as hereby required, they shall forthwith proceed to remove the Treasurer from his situation and to appoint another in his stead; and the person who shall have been removed shall forthwith deliver over to the person appointed all Books, Papers, and Records belonging or appertaining to the said Office of Treasurer.

"And be it further enacted by the authority aforesaid, That no Treasurer shall receive any sum or sums of money whatever for rates or assessments on any Tract, Parcel, or Lot of Land situate or being out of the limits of his District, knowing the Rates or Assessments on such lands to have been in arrear and unpaid for the space of eight years; and, if such Rates or Assessments shall be received by any Treasurer, other than the Treasurer of the District in which the Lands are situated, the same shall not be taken or considered to be in payment of such Rates or Assessments, and the Lands on which the same are payable shall be liable to the same remedies for the collection of Rates, and to be sold in the same manner as other Lands on which the Rates have been suffered to remain in arrear for the space of Eight Years."

On which the House divided, and the yeas and nays being taken were as follows:—

Yeas: Messrs. Hagerman, Casey, Clark, Randal, Peterson, McMartin, McDonell, Crooks, McLean (of Stormont).

Nays: Messrs. Jones (of Leeds), Burwell, Ruttan, Willson (of Wentworth), Hamilton (of Wentworth), Pattie, White, Walsh, Baby, Horner, Willson (of Prince Edward), Jones (of Grenville), Attorney General, Chisholm, Robinson, Gordon, Morris, Bostwick, Nichol.

The question was decided in the negative by a majority of ten and lost accordingly.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Bill do now pass, and that the Title be, "An Act to amend and make permanent a certain Act of the Parliament of this Province passed in the fifty-ninth year of the Reign of His late Majesty King George the Third, entitled, 'An Act to repeal the Laws now in force relative to levying and collecting Rates and Assessments in this Province, and further to provide for the more equal and general assessment of Lands and other ratable property throughout this Province,' and to render more effectual the several laws of this Province imposing Rates and Assessments, by providing under certain restrictions for the levying such rates and assessments, by the sale of a portion of the lands on which the same are charged."

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (of Leeds), Willson (of Wentworth), Ruttan, Clark, Hamilton (of Wentworth), Pattie, White, Baby, Horner, Peterson, Jones (of

Grenville), Willson (of Prince Edward), Attorney General, Chisholm, Robinson, Gordon, Crooks, Morris, Bostwick.

Nays: Messrs. Burwell, Casey, Randal, Walsh, McMartin, McDonell, McLean (of Stormont), Hagerman, Nichol.

The question was carried in the affirmative by a majority of ten and the Bill was signed.

Mr. Morris, seconded by Mr. Crooks, moves that Messrs. Attorney General and Jones of Grenville be a Committee to carry to the Honorable the Legislative Council the Bill entitled, "An Act to amend and make permanent a certain Act of the Parliament of this Province, passed in the fifty-ninth year of the Reign of His late Majesty King George the Third, entitled, 'An Act to repeal the several laws now in force relative to levying and collecting Rates and Assessments in this Province, and further to provide for the more equal and general assessment of lands and other ratable property throughout this Province," and to render more effectual the several Laws of this Province imposing Rates and Assessments, by providing under certain restrictions for the levying such rates and assessments by the sale of a portion of the lands on which the same are charged," and to request their concurrence thereto. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Friday, 2nd January, 1824.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves for leave to bring up the Petition of William Lee, Esquire, Gentleman Usher of the Black Rod. Which was granted and the Petition brought up.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the Petition of William Lee, Esquire, be now read, and that the Sixth Rule of the House be dispensed with in so far as relates to the same. Which was carried, and the Petition of William Lee, Esquire, praying to be restored to his Original Salary was read.

Mr. Hagerman, seconded by Mr. Jones of Grenville, moves that the petition of William Lee, Esquire, be referred to the Committee of Supply.

Agreeably to the order of the day, the third reading of the Address to His Excellency the Lieutenant Governor was called for. On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (of Leeds), White, Hagerman, Jones (of Grenville), McMartin, Crooks, Chisholm, Robinson, Gordon.

Nays: Messrs. Randal, Hamilton (of Wentworth), Walsh, Kerr, McDonell, Baldwin.

The question was carried in the affirmative by a majority of three, and the Address was read the third time, passed, and signed by the Speaker as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major-General Commanding His Majesty's Force therein, etc.,

May it Please Your Excellency,—We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly request Your Excellency will be pleased to inform this House, whether the sum awarded to this Province by the Arbitrators appointed under the Canada Trade Act, has been paid, and if not, whether a Warrant has been placed in the hands of His Majesty's Receiver General for Upper Canada for the amount thereof,

agreeably to the provisions of that Law; and that Your Excellency will be pleased to give this House such further information on this subject as it may be in Your Excellency's power to communicate.

LEVIUS P. SHERWOOD, Speaker.

Commons House of Assembly, 2nd January, 1824.

Mr. Chisholm, seconded by Mr. Robinson, moves that Messrs. Jones of Leeds and Crooks be a Committee to wait upon His Excellency the Lieutenant Governor to know when His Excellency will be pleased to receive said Address and to present the same. Which was ordered.

Mr. Baldwin, from the Committee to whom was referred the Petition of Sundry Inhabitants of the County of Hastings and Township of Ameliasburg, reported as follows:

Your Committee, to whom was referred the Petition of Sundry Inhabitants of the County of Hastings and Township of Ameliasburg, praying for a Division of the Midland District, beg leave to report that they cannot recommend the matter prayed for, because a Bill has passed this House in its present Session providing for a Division of that District inconsistent with the prayer of the Petitioners.

Your Committee, however, do not pretend to report unfavorably on the merits of this petition, which in the event of the failure of the present Bill may, nevertheless, at a subsequent Session be worthy the attention of the House.

W. W. BALDWIN, Chairman.

Committee Room, 2nd January, 1824.

Agreeably to the order of the day, the House went into Committee on Doctor Baldwin's Resolution on Immigration. The House resumed.

Doctor Baldwin, seconded by Mr. Hamilton of Lincoln, moves that the House do again resolve itself this day into a Committee of the whole on the subject of the state of Immigration into this Province, and on the settlement of the Waste Lands of the Crown. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (of Leeds), Hamilton (of Wentworth), Clark, Wilmot, Baldwin, Ruttan, Baby, Randal, Peterson, Willson (of Prince Edward).

Nays: Messrs. Burwell, Jones (of Grenville), White, Pattie, Horner, Gordon, McDonell, McMartin, McLean (of Stormont), Attorney General, Nichol, Kerr, Crooks, Morris, Bostwick, Robinson, Casey, Hagerman.

The question was decided in the negative by a majority of eight, and lost accordingly.

Mr. Gordon, from the Committee to draft an Address to His Excellency the Lieutenant Governor, thanking him for His Messages communicating Canal Commissioners' Report, etc., reported a draft, which was received and read the first time.

Mr. Jones of Grenville, seconded by Mr. Gordon, moves that the Address to His Excellency the Lieutenant Governor be read a second time this day, and that the fifth Rule of this House be dispensed with so far as relates to the said Address. Which was carried and the Address was read the second time.

Mr. Jones of Grenville, seconded by Mr. Gordon, moves that the Address to His Excellency the Lieutenant Governor be concurred in, engrossed, and read a third time this day. Which was ordered.

Agreeably to the order of the day, the House went into Committee of Supply. Mr. Casey in the Chair.

The House resumed. Mr. Casey reported progress and asked leave to sit again to-morrow. Ordered that the report be received and leave was granted accordingly.

Mr. Boulton, Master in Chancery, brought down from The Honorable The Legislative Council several messages and having withdrawn the Speaker read the messages as follows:

Mr. Speaker,—The Honorable The Legislative Council request a Conference with the Commons House of Assembly on the subject matter of the Bill entitled, "An Act to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor in pursuance of the Address of the House of Assembly during the last Session," and have appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at 11 o'clock a.m. to-morrow.

Legislative Council Chamber,
2nd January, 1824. Wm. Dummer Powell, Speaker.

Mr. Speaker,—The Honorable the Legislative Council request a Conference with the Commons House of Assembly on the subject matter of the Resolutions sent up for the concurrence of this House on Tuesday last, and have appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at 11 o'clock a.m. to-morrow.

Legislative Council Chamber,
2nd January, 1824. Wm. Dummer Powell, Speaker.

Mr. Morris, seconded by Mr. Bostwick, moves that the request of The Honorable the Legislative Council for a Conference on the Bill entitled, "An Act to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor in pursuance of the Address of the House of Assembly during the last Session," be acceded to, and that Messrs. Jones of Grenville, Crooks, Hagerman and McLean of Stormont be a Committee for that purpose. Which was ordered.

Mr. Gordon, seconded by Mr. Clark, moves that Messrs. Attorney General, Nichol, Burwell and Baby be a Committee to confer with the Conference of the Honorable the Legislative Council on the subject matter of the Resolutions sent up by this House for the concurrence of that Honorable Body on Tuesday last. Which was ordered.

Mr. Morris, seconded by Mr. Bostwick, moves that Messrs. Crooks and McMartin be a Committee to acquaint the Honorable the Legislative Council that this House has agreed to the several Conferences requested this day, and have appointed a Committee of four of its Members for that purpose on each Conference. Which was ordered.

Mr. Attorney General, from the Committee to whom was referred the Petition of Major James Kirby, of the late Battalion of Incorporated Militia, reported a Draft of an Address, which was received and read the first time.

Mr. McLean of Stormont, seconded by Mr. Attorney General, moves that the Address to His Excellency the Lieutenant Governor respecting the late Incorporated Militia be read a second time to-morrow. Which was ordered.

Mr. Attorney General gives notice that he will move on Monday next, that the House do resolve itself into a Committee of Ways and Means.

Members present: Messrs. Nichol, Randal, McLean of Stormont, Robinson, Clark, Peterson, Walsh, Bostwick, Casey, Attorney General, Hagerman and Jones of Grenville.

The Speaker declared the House adjourned for want of a Quorum.

Saturday, 3rd January, 1824.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor was read the third time, passed and signed by the Speaker as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please your Excellency,—We His Majesty's Dutiful and Loyal Subjects the Commons of Upper Canada in Provincial Parliament Assembled, beg leave to thank your Excellency for your several messages transmitting to this House, "a Copy of the Report of the Commissioners appointed under the Act for the improvement of the Internal Navigation of this Province, together with the Accounts of the Expenditure for that object," and communicating, "an Extract from a Despatch which your Excellency has recently received from His Majesty's principal Secretary of State for the Colonies, respecting the distribution of the sum appropriated by His Majesty for the compensation of losses sustained by the inhabitants of this Province during the late war."

Commons House of Assembly,

3rd January, 1824. LEVIUS P. SHERWOOD, Speaker.

Mr. Jones of Grenville, seconded by Mr. Nichol, moves that Messrs. Jones of Leeds and Crooks be a Committee to wait upon His Excellency The Lieutenant Governor with the Address of this House, to know when His Excellency will be pleased to receive it, and to present the same. Which was ordered.

Agreeably to the order of the day the House went into Committee on the North Western Boundary Line. Mr. Casey was called to the Chair of the Committe.

The House resumed. Mr. Casey reported that the Committee had agreed to a Resolution.

On the question for receiving the report the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Gordon, Burwell, Wilmot, Baldwin, Walsh, Pattie, Baby, Crooks, Morris, McDonell.

Nays: Messrs. Jones (Leeds), Robinson, McLean (Stormont), Casey, Jones (Grenville), Ruttan, Peterson, McMartin, Kerr, Willson (Prince Edward), Bostwick.

The question was decided in the negative by a majority of one, and the report was not received.

Agreeably to the order of the day, the Assistant Adjutant General's Bill was read the second time.

Mr. Kerr, seconded by Mr. Burwell, moves that the House do now resolve itself into a Committee of the whole to take into consideration the Assistant Adjutant General's Salary Bill. Which was carried and Mr. Pattie was called to the Chair of the Committee.

The House resumed. Mr. Pattie reported the Bill without amendment. On the question for receiving the report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Robinson, Gordon, Clark, Ruttan, Baldwin, Pattie, Burwell, McMartin, Kerr, Willson (Prince Edward), Crooks, Morris, McDonell, Bostwick, Nichol.

Nays: Messrs. Wilmot, Hamilton (Wentworth), Walsh, Baby, Peterson.

The question was carried in the affirmative by a majority of eleven, and the report was received accordingly.

Mr. Kerr, seconded by Mr. Nichol, moves that the Assistant Adjutant General's Salary Bill be engrossed and read a third time on Monday next. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Banking Bill. Mr. Ruttan was called to the Chair.

The House resumed, the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable The Legislative Council the Bill entitled, "An Act to repeal part of and amend an Act passed in the fiftieth year of His late Majesty's Reign entitled, 'An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the laws now in force for that purpose,' and also to repeal part of and amend the provisions of an Act passed in the fifty-ninth year of His late Majesty's Reign, entitled 'An Act to repeal part of and amend the Laws now in force for laying out, amending and keeping in repair the Public Highways and Roads in this Province.' And the Bill entitled, 'An Act to continue and amend an Act passed in the fifty-eighth year of His late Majesty's Reign, entitled "An Act to continue the Laws now in force for granting an additional Duty on Shop Licenses," and to require persons selling Spirituous Liquors by wholesale to take out a License for that purpose,'" which they had passed without amendment; also the Bill entitled, "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada," which they had passed, and to which he was directed to request the concurrence of this House, and having withdrawn, the Bill entitled, "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada," was read the first time.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that the Bill sent down from The Honorable the Legislative Council entitled, "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada," be read a second time on Monday next. Which was ordered.

The House then went again into Committee on the Banking Bill. Mr. Ruttan in the Chair.

The House resumed. Mr. Ruttan reported that the Committee had agreed to a Resolution which he was directed to submit for the adoption of the House. Ordered that the report be received and it was,

Resolved, that in the opinion of this House the Banking Bill be referred to a Select Committee to report thereon.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that Messrs. Attorney General, Hagerman, Baldwin, Gordon, Crooks and Jones of Leeds do constitute the said Committee. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Salmon Fishery Bill. Mr. Morris in the Chair.

The House resumed. Mr. Morris reported the Bill as amended. Ordered that the report be received.

Mr. Hagerman, from the Committee to confer with the Committee of the Honorable The Legislative Council on the subject of certain Resolutions sent up from this House relative to the growth of tobacco in the Western Districts of this Province reported as follows:

The Committee to confer with a Committee of The Honorable The Legislative

Council upon the subject of Resolutions sent up from this House relative to the growth of Tobacco in the Western Districts, met them in the Joint Committee Room, and were informed by them that it appeared to the Honorable Legislative Council that the allusion made in the first resolution to the restriction imposed upon the admission of our Bread Stuffs into Great Britain might be prejudicial to the objects of the application, and to the general interests of the Province; and they recommended that a Joint Committee might be formed for the purpose of preparing an Address in conformity to the spirit of the Resolutions, making the amendment suggested.

Mr. Jones of Grenville, from the Committee appointed to confer with a Committee of the Honorable the Legislative Council on the subject matter of the Bill entitled, "An Act to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor in pursuance of the Address of the House of Assembly during the last Session," reported as follows:

The Committee appointed by Your Honorable House to confer with the Committee of the Honorable the Legislative Council on the Bill sent up from this House entitled, "An Act to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor in pursuance of the Address of the House of Assembly during the last Session," met the said Committee at the time and place appointed; the Committee of the Honorable the Legislative Council proposed that the said Bill should be altered by striking out the words, "and for other purposes." Which Your Committee agreed to report to your Honorable House.

Mr. Baldwin, seconded by Mr. Wilmot, moves that the Salmon Fishery Bill be engrossed and read a third time on Monday next. Which was ordered.

Agreeably to notice, Mr. Hamilton of Lincoln, seconded by Mr. Jones of Grenville, moves for leave to bring in a Bill to extend the Jurisdiction of Probate and Surrogate Courts in this Province.

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hamilton (of Lincoln), Hagerman, Burwell, Gordon, Wilmot, Clark, Hamilton (of Wentworth), Pattie, Ruttan, White, Casey, Bostwick, McMartin, Jones (of Grenville), Willson (of Prince Edward), Nichol, Crooks, Morris, McDonell.

Nays: Messrs. Walsh, Baby, Jones (of Leeds), Baldwin.

The question was carried in the affirmative by a majority of fifteen and the Bill was read.

Mr. Hamilton of Lincoln, seconded by Mr. Jones of Grenville, moves that the Bill to extend the Jurisdiction of Courts of Probate and Surrogate in this Province be read a second time on Monday next. Which was ordered.

Mr. Nichol, seconded by Mr. Wilmot, moves that the consideration of so much of the Order of the day as relates to the Kingston Bank Bill be postponed till Monday next. Which was ordered.

Agreeably to the order of the day, the Address to the King was read the second time.

Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor a Message, and having withdrawn the Speaker read the same as follows:

P. MAITLAND.

The Lieutenant Governor is apprehensive that the contemplated arrangement for a Second Circuit will not secure the certain and effectual Administration of

Justice without an increase in the number of Judges which was deemed sufficient in the original constitution of the Court of King's Bench.

The Lieutenant Governor therefore recommends to the House of Assembly to take into consideration the propriety of enabling him to make provision for an additional appointment to the Bench.

In regard to this measure, the Lieutenant Governor suggests to the House of Assembly that it may be expedient to avoid delay, on account of the necessity of submitting any addition of this nature for the approbation of His Majesty's Government.

Government House, 3rd January, 1824.

Mr. Jones of Grenville, seconded by Mr. McMartin, moves that it be Resolved, that an humble Address be presented to His Excellency the Lieutenant Governor thanking him for his Message respecting a provision for the appointment of an additional Judge of the Court of King's Bench of this Province, and assuring his Excellency that this House will give the matter their serious consideration. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. McMartin, moves that this House do on Monday next resolve itself into a Committee of the whole to take into consideration his Excellency the Lieutenant Governor's message of this day. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Burwell, moves that Messrs. Morris and McMartin be a Committee to draft an Address to his Excellency the Lieutenant Governor pursuant to the Resolution of this House. Which was ordered.

Mr. Morris, seconded by Mr. Crooks, moves that the House do now resolve itself into a Committee of the Whole on the Address to His Majesty. Which was carried and Mr. Wilmot was called to the Chair of the Committee.

The House resumed. Mr. Wilmot reported the Address without amendment.

On the question for receiving the Report the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Hamilton (Wentworth), Nichol, Hamilton (Lincoln), Pattie, Baldwin, Wilmot, Walsh, Casey, McMartin, Willson (Prince Edward), Crooks, Morris, McDonell.

Nays: Messrs. Jones (Leeds), Burwell, Ruttan, Clark, Bostwick.

The question was carried in the affirmative by a majority of eight and the report was received accordingly.

Mr. Morris, seconded by Mr. Crooks, moves that the Address to His Majesty be engrossed and read a third time on Monday. Which was ordered.

The House then adjourned till ten o'clock a.m. on Monday next.

Monday, 5th January, 1824.

The House met. Prayers were read. The Minutes of Saturday were read.

Mr. Hamilton, of Wentworth, seconded by Doctor Baldwin, moves for leave to bring up the Petition of John Lee of the Township of Saltfleet, District of Gore. Which was granted and the Petition brought up.

Mr. Nichol, seconded by Mr. Gordon, moves that he have now leave to bring up the Petition of certain Directors and Partners of the late Banking Association at Kingston. And that the Sixth Rule of the House be dispensed with insofar as relates to the said Petition, and that it be now read. Which was granted and the Petition of certain Directors and Partners of the late Banking Association at Kingston was read.

Mr. Nichol, seconded by Mr. Gordon, moves that the Petition of certain Directors and Partners of the late Banking Association at Kingston be referred to the Committee of the Whole on the Kingston Bank Bill. Which was ordered.

Agreeably to the order of the day the Assistant Adjutant General's Bill was read the third time.

Mr. Kerr, seconded by Mr. Ruttan, moves that the Bill do now pass and that it be entitled "An Act to increase the salary of the Assistant Adjutant General of Militia."

On which the House divided and the yeas and nays being taken were as follows:

Yeas. Messrs. Burwell, Nichol, Gordon, Ruttan, Kerr, Baldwin, Pattie, McMartin, Chisholm, Willson (Prince Edward), Casey, Morris, McDonell, Bostwick.

Nays. Messrs. Peterson, Hamilton (Wentworth), White, Wilmot.

The question was carried in the affirmative by a majority of ten and the Bill was signed.

Mr. McMartin, seconded by Mr. Chisholm, moves that Messrs. Kerr and Ruttan be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act to increase the salary of the Assistant Adjutant General of Militia," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day the Salmon Fishery Bill was read the third time.

Mr. Baldwin, seconded by Mr. White, moves that the Bill do now pass and that it be entitled "An Act to repeal the Laws now in force for the preservation of the Salmon Fishery within this Province, and to make more effectual provision for the preservation of the said Salmon Fishery."

In amendment Mr. Ruttan, seconded by Mr. Jones, of Leeds, moves that all the words after the word "that" in the original motion be expunged, and the following inserted, "the Bill do pass this day three months." Which was lost.

In amendment, Mr. Hagerman, seconded by Mr. Baldwin, moves that all the words in the original motion be expunged, and the following be inserted as a Rider to the Salmon Fishery Bill:

"And be it further enacted by the Authority aforesaid, that this Act shall continue in force for and during the term of two years and from thence to the end of the then next ensuing Session of Parliament and no longer. Which was carried.

The original question as last amended was then put and carried.

Agreeably to the order of the day the Address to the King on the claims of the Church of Scotland was read the third time.

Mr. Ruttan, seconded by Mr. Walsh, moves that the Address be now recommitted. Which was lost.

On the question for signing the Address the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Gordon, Randal, Hamilton (Wentworth), Baldwin, Walsh, White, Baby, Pattie, Casey, McMartin, Hagerman, Kerr, Chisholm, Wilmot, Willson (Prince Edward), Crooks, Morris, McDonell, Hamilton (Lincoln).

Nays: Messrs. Peterson, Jones (Leeds), Burwell, Clark, Ruttan, Bostwick.

The Question was carried in the affirmative by a majority of fourteen, and the address was signed by the Speaker, and is as follows:

To the King's Most Excellent Majesty. Most Gracious Sovereign.

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, most humbly beg leave to approach Your Majesty and to submit to Your Majesty's most gracious consideration our earnest supplications in behalf of the Clergy and Members of the Established Church of Scotland in this portion of Your Dominions.

When the Kingdoms of England and Scotland were, happily for both, united under the British Crown, the subjects of each were placed on a footing of reciprocity, they were to enjoy a full communication of every right, privilege and advantage, and their respective Churches were established as "true Protestant Churches" within their particular limits; the Clergy of both might therefore reasonably expect equally to participate in the benefits which might result from the Union.

Viewing the conquest of these Provinces from the Dominion of France by the united exertions of Great Britain and Ireland, as one great advantage resulting from the Union, we humbly conceive that the Churches of England and Scotland, had, after such conquest, equal rights as to the exercise and enjoyment of their respective Religious privileges therein, and an equal claim to enjoy any advantages or support which might be derived from the newly acquired territory.

By an Act passed in the thirty-first year of the Reign of Our late Revered Sovereign, whose memory will long live in our hearts, an appropriation is authorized to be made of one-seventh of the Lands of the Province for the support and maintenance of a Protestant Clergy in this Province; and under the general words "a Protestant Clergy" used in that Act Your Majesty's subjects in this Province who belong and are particularly attached to the Church of Scotland fondly hoped that a provision had been made for the Clergy of that Church, as well as for those of the Church of England, and though the allotments of lands thus authorized have hitherto been in a great measure unproductive, they felt a degree of confidence that it would eventually afford a fair support to the Clergy of both Churches. The lands reserved under the said Act being claimed and enjoyed exclusively for the support and maintenance of the Clergy of the Church of England in this Province, we humbly entreat Your Majesty's consideration of the subject, and if, in the legal construction of the said Act, it is considered that no provision for the Clergy of the Church of Scotland was contemplated thereby, we would most respectfully and earnestly express to Your Majesty our hope that Your Majesty will be graciously pleased to extend to them Your Royal protection and consideration by directing such provision to be made for their maintenance and support, as to Your Majesty may appear proper. That Your Majesty may long Reign in the confidence and affection of all Your subjects, to guard and secure their rights in every portion of Your widely extended Dominions, is the prayer of Your Majesty's faithful subjects the Commons of Upper Canada.

Commons House of Assembly,

5th January, 1824. LEVIUS P. SHERWOOD, Speaker.

Mr. Morris, seconded by Mr. McMartin, moves that an humble Address be presented to His Excellency the Lieutenant Governor praying that His Excellency will be graciously pleased to transmit the Address of this House to His Majesty on behalf of the Clergy of the Church of Scotland; and that Messrs. Nichol and Crooks be a Committee to draft and report the same. Which was ordered.

The Salmon Fishery Bill was then read the third time.

Mr. Baldwin, seconded by Mr. White, moves that the Bill do now pass and

that it be entitled "An Act to repeal the Laws now in force for the preservation of the Salmon Fishery in this Province, and to make more effectual provision for a limited time for the preservation of the said Fishery."

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Crooks, Clark, Baldwin, White, Pattie, Randal, McMartin, Kerr, Wilmot, Hamilton (Wentworth), Morris, Willson (Prince Edward), Hagerman, McDonell, Bostwick.

Nays: Messrs. Jones (Leeds), Burwell, Gordon, Peterson, Ruttan, Casey, Chisholm, Hamilton (Lincoln).

The question was carried in the affirmative by a majority of eight and the Bill was signed.

Mr. Nichol, from the Committee to draft an Address to His Excellency the Lieutenant Governor relative to transmitting the Address to the King, reported a draft, which was received and read the first time.

Mr. Morris, seconded by Mr. McMartin, moves that the Address to His Excellency the Lieutenant Governor be read a second time this day, and that the Fifth Rule of the House be dispensed with insofar as relates to the same. Which was carried and the Address was read the second time.

Mr. Morris, seconded by Mr. McMartin, moves that the House do concur in the Address and that it be engrossed and read a third time this day. Which was ordered.

Mr. McMartin, seconded by Mr. Morris, moves that Messrs. Baldwin and Wilmot be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act to repeal the Laws now in force for the preservation of the Salmon Fishery in this Province, and to make more effectual provision for a limited time for the preservation of the said Fishery," and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day the House went into Committee of Supply. Mr. Walsh in the Chair.

The House resumed. Mr. Walsh reported that the Committee had agreed to several Resolutions which he was directed to submit for the adoption of the House and asked leave to sit again to-morrow. Ordered that the Report be received and leave was granted accordingly.

The first Resolution was then put, on which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Burwell, Jones (Leeds), Randal, Clark, Wilmot, Baby, Ruttan, McLean (Stormont), Hagerman, Casey, Morris, Robinson, Bostwick.

Nays: Messrs. Peterson, White, Walsh, Pattie, Horner, Willson (Prince Edward), Chisholm.

The question was carried in the affirmative by a majority of seven and it was

Resolved, that a supply be granted to His Majesty to enable His Majesty to provide for the following services for the year 1824, viz.:

For the Administration of Justice for the year 1824, including the expenses of a second circuit	£2,200
The Government office	1,150
The Receiver General's Office	500
The Surveyor General's Office	1,200
The Executive Council Office	650

The Secretary and Register's Office, including the sum of £50 to be added to the salary of the Clerk in these Offices	£300
The Inspector General's Office	420
The Government Printer	200
The Repairs of the Government House	200
The Casual and other Expenses	500

The second Resolution was then put and carried and it was

Resolved, that the sum of Fifty Pounds be granted annually to His Majesty to provide a Pension for Allan McNabb, Esquire, the Serjeant at Arms attending the House of Assembly, who from age and infirmity has become unequal to the duties of his office and who having been an old servant of His Majesty is at present in reduced circumstances with a large family.

The third Resolution was then put, on which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Nichol, Jones (Leeds), Randal, Peterson, Clark, Wilmot, Pattie, Horner, Ruttan, McLean (Stormont), Willson (Prince Edward), Chisholm, Hagerman, Robinson, Morris, Bostwick.

Nays: Messrs. Walsh, White, Baby, Casey.

The question was carried in the affirmative by a majority of thirteen and it was

Resolved, that the sum of Two Hundred Pounds be granted to His Majesty to enable him to pay that sum to Allan McNabb, Esquire, the Serjeant at Arms attending this House, who after a long period of public services in various capacities is left with little reward to provide for the support of a large family beyond the small annual allowance proposed to be granted him by Law.

The fourth Resolution was then put and carried and it was

Resolved, that the sum of Five Hundred Pounds be granted to His Majesty to enable him to remunerate the services of the Arbitrator appointed on behalf of this Province under the provisions of the British Statute, 3 Geo. 4, Ch. 119; and also of the Secretary who accompanied the said Arbitrator during the several negotiations in Lower Canada.

The fifth Resolution was then put and carried and it was

Resolved, that a sum of One Hundred and Fifty Pounds be granted to His Majesty to enable him to aid the Inhabitants of West Gwillimbury and Tecumseh in building a bridge across the West Branch of the Holland River.

The sixth resolution was then put, on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Nichol, Jones (Grenville), Randal, Peterson, Clark, Wilmot, White, Ruttan, McLean (Stormont), Chisholm, Robinson, Casey, Bostwick, Hamilton (Lincoln).

Nays: Messrs. Walsh, Pattie, Baby, Horner, Willson (Prince Edward), Hagerman, Morris.

The question was carried in the affirmative by a majority of eight, and it was

Resolved, that One Hundred Pounds be granted to His Majesty to enable him to aid the Inhabitants of Asphodel and Otonabee in the Newcastle District, in erecting a bridge across the River Trent.

Mr. Jones, of Grenville, seconded by Mr. Ruttan, moves that Messrs. McLean, of Stormont, and Burwell be a Committee to draft Bills pursuant to the Resolutions of this House. Which was ordered.

Agreeably to the order of the day the Address relative to the late Battalion of Incorporated Militia was read the second time.

Mr. McLean, of Stormont, seconded by Mr. Jones, of Grenville, moves that this House do now resolve itself into a Committee of the Whole on the Address relative to the late Incorporated Militia. Which was carried and Mr. Pattie was called to the Chair of the Committee.

The House resumed. Mr. Pattie reported the Address without amendment. Ordered that the Report be received.

Mr. McLean, seconded by Mr. Morris, moves that the Address to His Excellency the Lieutenant Governor respecting the late Incorporated Militia be engrossed and read a third time to-morrow. Which was ordered.

Mr. Jones, of Leeds, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House relative to the award of the Arbitrators reported delivering the same, and that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly: On the Report of the Arbitrators appointed under the Canada Trade Act, the Governor in Chief was applied to for a Warrant in favor of His Majesty's Receiver General for Upper Canada, for the amount awarded to this Province.

His Excellency regretted that owing to peculiar circumstances attending the Treasury of Lower Canada, it was not likely that the payment of the award, notwithstanding His Excellency's anxiety that it should take place, could be made before the middle of December.

It has not been intimated to the Receiver General, that any Warrant for the sum in question has issued in his favor.

Agreeably to the order of the day the House went into Committee on His Excellency the Lieutenant Governor's Message relative to the Civil List. Mr. Hagerman was called to the Chair of the Committee. The House resumed.

Mr. Hagerman reported progress and asked leave to sit again to-morrow. Ordered that the Report be received and leave was granted accordingly.

Agreeably to the order of the day the House went into Committee on the Receiver General's Poundage Bill. Mr. Horner in the Chair.

The House resumed. Mr. Horner reported progress and asked leave to sit again to-morrow.

On the question for receiving the Report the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Nichol, Randal, Gordon, Horner, Ruttan, Casey, Kerr, McMartin, Willson (Prince Edward), Hagerman, Chisholm, McLean (Stormont), Bostwick, Walsh, Hamilton (Lincoln).

Nays: Messrs. Robinson, Clark, Hamilton (Wentworth), Wilmot, Baby, Baldwin, Peterson, Jones (Grenville), Crooks, Morris, Attorney General.

The question was carried in the affirmative by a majority of five and the Report was received and leave granted accordingly.

Mr. Nichol gives notice that he will on to-morrow move that it be Resolved, that an humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to direct the proper officer to lay before this House a Table of the Fees established by the Court of King's Bench to be taken by Barristers, Attorneys and Officers of the said Court.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 6th January, 1824.

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Robinson, seconded by Mr. Jones, of Leeds, moves for leave to bring up the Petition of Charles Fothergill, Esquire, Government Printer. Which was granted and the Petition brought up.

Mr. Wilmot, seconded by Doctor Baldwin, moves for leave to bring up the Petition of James Miles, Esquire, of Yonge Street. Which was granted and the Petition brought up.

Agreeably to the order of the day the Address to His Excellency the Lieutenant Governor requesting him to transmit the Address to His Majesty on the subject of the claims of the Church of Scotland, was read the third time, passed and signed by the Speaker and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein, etc.

May it Please Your Excellency: We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, most humbly beg leave to represent to Your Excellency that we have agreed on an Address to His Majesty in behalf of the Clergy of the Established Church of Scotland, which Address we humbly pray Your Excellency to transmit to be laid at His Majesty's feet.

Commons House of Assembly,
5th January, 1824. LEVIUS P. SHERWOOD, Speaker.

Mr. Morris, seconded by Mr. Crooks, moves that Messrs. McLean and Chisholm be a Committee to wait on His Excellency the Lieutenant Governor to acquaint His Excellency that this House has agreed to an Address to His Majesty in behalf of the Clergy of the Established Church of Scotland. And also an Address to His Excellency praying he will be pleased to transmit the same and to know when His Excellency will receive this House with the Address to His Majesty. Which was ordered.

Agreeably to the order of the Day the third reading of the Address respecting half pay to the late Incorporated Battalion of Militia was called.

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Robinson, Wilmot, Clark, Jones (Leeds), Pattie, Ruttan, McMartin, Peterson, McLean (Stormont), Chisholm, Crooks, Nichol, Morris, McDonell, Bostwick.

Nays: Messrs. Randal, Walsh, White, Baldwin, Horner, Casey, Willson (Prince Edward).

The question was carried in the affirmative by a majority of eight, the Address was read the third time, passed and signed by the Speaker as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein, etc.

May it Please Your Excellency: We, His Majesty's most dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, have

taken into consideration an extract of a Dispatch from His Majesty's Principal Secretary of State for the Colonies, communicated to us by Your Excellency during our last Session on the subject of half-pay for the late Battalion of Incorporated Militia of this Province which had been solicited for that Regiment as being constituted in the same manner as the Voltigeurs of Lower Canada, to whom it has been granted; and we feel called upon again to bring the matter of our application before the consideration of His Majesty's Government.

We are happy to perceive that His Majesty's Government entertains with us so just a recollection of the gallantry and usefulness of the Incorporated Militia of this Province during the late war with the United States, and that a supposed distinction in the Constitution of the two Corps above mentioned has alone prevented His Majesty's Principal Secretary of State for the Colonies from recommending the prayer of the Joint Address of the two Houses of the Legislature of this Province to the favorable consideration of His Majesty.

This obstacle we trust can be removed, as the accompanying Documents will satisfactorily establish the similarity of constitution of the Voltigeurs of Lower Canada and the Incorporated Militia of this Province, and we cannot but feel that the claim of the latter for any consideration must from these Documents appear in a more favorable light than that of the former.

The well known justice and liberality of His Majesty's Government will not allow us to entertain the idea that a distinction in name only can operate against the Battalion of Upper Canada, while in usefulness and efficiency it was in every respect equal to the only Corps resembling it in our Sister Province.

We are assured that a reference to the Laws to which the Battalions alluded to were respectively subject in their several Provinces, will result in the conviction that the services of the Incorporated Militia of this Province might have been demanded on many occasions in which those of the Voltigeurs could not.

It may not be known to His Majesty's Government, that the Incorporated Battalion of this Province was regularly enlisted and attested under certain regulations established by the Administrator of the Government and Commander of the forces then in Upper Canada, who was authorized by Law to "make such rules and regulations for the government of the Regiment as to him should seem proper and adapted to the nature of the Service." That they might have been ordered into the Province of Lower Canada in the event of invasion or insurrection or in pursuit of an enemy; that their services might have been required in an enemy's country for the destruction of any vessel built or building, or any depot or magazine formed or forming, for the attack of any army embodied or marching for the purpose of invading this Province, or of any fortification erected to cover the invasion thereof. Their services indeed might have been demanded, and we are well assured would have been readily afforded, upon all occasions which could possibly occur to require the services of His Majesty's Regular Forces in this and our Sister Province during the late war with the United States. On the other hand it appears on reference to the conditions under which the Voltigeurs were enlisted that they were raised subject to the Militia Laws, and for the service of Lower Canada. The difference in this comparison we humbly submit is in favor of the Battalion of Upper Canada. Other distinctions might be pointed out, but we will only add that the operations of the enemy during the late war with the United States being directed throughout almost exclusively against Upper Canada, the Corps of Voltigeurs had not an equal opportunity of service in the face of the enemy, while the Battalion of Incorporated Militia as will appear to His Majesty by the Honorable Testimony of His General Officers

in Command formed a very effective part of an Army that were engaged in constant operations against a superior force, and shared with such fidelity the dangers of actual service, that their casualties in killed and wounded were not less in proportion to their numbers than those of the Regiments of the Line with which they were brigaded.

Feeling a lively interest in the success of the application which we have in conjunction with the Honorable the Legislative Council made in behalf of the Incorporated Militia, and anxious that every information may be afforded which can enable His Majesty's Government to decide upon the subject, we humbly request that Your Excellency will be pleased to transmit the accompanying Documents in support of the application alluded to.

Commons House of Assembly,

6th January, 1824. Levius P. Sherwood, Speaker.

Mr. Morris, seconded by Mr. Crooks, moves that Messrs. Burwell and Chisholm be a Committee to wait upon His Excellency the Lieutenant Governor to know when His Excellency will be pleased to receive the Address of this House on the subject of the late Incorporated Militia and to present the same. Which was ordered.

Agreeably to the order of the day the Burlington Bay Canal Bill was read the second time.

Mr. Crooks, seconded by Mr. Chisholm, moves that this House do now resolve itself into a Committee of the Whole to take into consideration the Burlington Bay Canal amendment Bill. Which was carried and Mr. Chisholm was called to the Chair of the Committee.

The House resumed. Mr. Chisholm reported the Bill as amended.

On the question for receiving the Report the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Gordon, Nichol, Robinson, Jones (Grenville), Randal, Clark, Hamilton (Wentworth), Wilmot, Baldwin, Baby, Horner, Pattie, Ruttan, McMartin, Peterson, Attorney General, Kerr, Chisholm, Willson (Prince Edward), Crooks, Morris, McDonell, Burwell, Bostwick, Hamilton (Lincoln).

Nays: Messrs. Jones (Leeds), Casey, Walsh, White.

The question was carried in the affirmative by a majority of twenty-one and the Report was received accordingly.

Mr. Crooks, seconded by Mr. Hamilton, of Wentworth, moves that the Burlington Bay Canal amendment Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. Jones, of Grenville, seconded by Mr. Robinson, moves that Messrs. Attorney General, Hagerman, Nichol and Gordon be a Committee to confer with a Committee of the Honorable the Legislative Council pursuant to the Report of the Committee of Conference on the subject of the Resolutions of this House respecting the Tobacco Trade of this Province and that the same be a free Conference. Which was ordered.

Mr. Jones, of Grenville, seconded by Mr. Robinson, moves that Messrs. Gordon and Baby be a Committee to acquaint the Honorable the Legislative Council that this House has appointed a Committee of Conference pursuant to the Report of the Joint Committee on the subject of the Resolutions of this House respecting the Tobacco Trade of this Province. Which was ordered.

Agreeably to notice Mr. Nichol, seconded by Mr. Gordon, moves that the House do now resolve itself into a Committee of the Whole to take into con-

sideration the reply of His Excellency the Lieutenant Governor to the Address of this House on the Boundary between this Province and the United States of America. Which was carried and Mr. Willson, of Prince Edward, was called to the Chair of the Committee.

The House resumed. Mr. Wilson reported that the Committee had agreed to several Resolutions which he was directed to submit for the adoption of the House. Ordered that the Report be received and the Resolutions were then severally put and carried as follows:

Resolved, 1st, that in the year 1822 a Public Instrument issued from the Department of State of the United States of America, purporting to be the award of the Commissioners under the Treaty of Ghent, for ascertaining the Boundary Line between Upper Canada and the said States, by which Barnhart's Island, which has been from the Conquest and Cession of Canada occupied by British subjects and under His Majesty's Government, was declared to be a part of and within the boundary of the said United States.

Resolved, 2nd, that in conformity to the said declaration, the State of New York within whose territorial limits the said Island has been declared to be situated has disposed of and granted Letters Patent for the same, and has exercised jurisdiction by executing Legal Process therein.

Resolved, 3rd, that Barnhart's Island extends to within one hundred and thirty yards of the British shore, and that by its having been yielded to the United States, the whole Navigable Waters of the Saint Lawrence have been ceded to that Government, whose jurisdiction is thereby extended to within thirty yards of the Canada shore. And His Majesty's Canadian subjects have been deprived of all access to Lower Canada by water, unless by passing through the territories of a Foreign Power.

Resolved, 4th, that Barnhart's Island, is much nearer to the main Canadian shore than to that of the United States of America, and that the only safe channel for navigation is on the south side of the said Island, being between it and the main shore of the United States, while it is wholly impracticable for rafts of timber, staves and other lumber which are among the principal exports of Upper Canada, to descend by the intricate and shallow channel on the north side thereof even were it ceded exclusively to His Majesty.

Resolved, 5th, that it is evident from the decision of the Commission under the Treaty of Ghent, that the Commissioner appointed on behalf of His Majesty's Government was either unacquainted with the local situation of Barnhart's Island, and the great disadvantages which would result to the Inhabitants of Upper Canada, from its being yielded to the United States of America, or unwisely considered them as too unimportant in a National point of view to justify him in insisting on its remaining under His Majesty's Dominion.

Resolved, 6th, that it appears by a Message recently sent by the President to the Congress of the United States of America, that a negotiation is now pending with His Majesty's Government for the free navigation by the subjects of that Power, of the River Saint Lawrence to the ocean.

Resolved, 7th, that in the opinion of this House such a measure if acceded to by His Majesty's Government would have a direct tendency to destroy the connection between these Colonies and the Parent States, would injure to an incalculable extent their Commerce and Revenues, and would by admitting a direct trade under a Foreign Flag, not allowed to British subjects, facilitate the illicit introduction of foreign merchandise, and afford advantages to the subjects of a Foreign State not enjoyed by those of His Majesty in this Province, for which

the restitution of Barnhart's Island and the free navigation of the South Channel of the Saint Lawrence valuable as these objects are would not be an adequate compensation.

Resolved, 8th, that an humble Address be presented to His Majesty founded on the preceding Resolutions and imploring His Majesty to take into His most gracious consideration the unhappy situation in which His Majesty's faithful subjects of Upper Canada have been placed by the unfortunate determination of the Commission under the Treaty of Ghent, respecting the Boundary Line of the Saint Lawrence, as well as the certain ruin which must ensue to British interests within the Provinces, if the claims of the Government of the United States to the free navigation of the Saint Lawrence to the Ocean shall be recognized, and earnestly entreating His Majesty to direct the attention of His Majesty's Ministers during the negotiation said to be depending to such measures as may effectually secure the present and future interests of His Majesty's Canadian subjects.

Mr. Nichol, seconded by Mr. Gordon, moves that a copy of the Resolutions on the Boundary Line be sent to the Honorable the Legislative Council, and that Messrs. Hagerman and Jones, of Leeds, be directed to carry up the same, and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day the Bill sent down from the Honorable the Legislative Council entitled "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada was read the second time.

Mr. Nichol, seconded by Mr. Gordon, moves that the Bill sent down from the Honorable the Legislative Council, entitled "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada" be referred to the Committee of the Whole on the Kingston Bank Bill. Which was carried.

Agreeably to the order of the day the House went into Committee on the Kingston Bank Bill. Mr. Gordon in the Chair.

The House resumed the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled "An Act to alter the times of holding the terms of Hilary and Michaelmas," which they had passed with some amendments, and to which he was directed to request the concurrence of this House, and having withdrawn the amendments were read as follows:

Press 1, Line 8. After the word "Monday" expunge "after the twenty-fifth day of December" and insert, "in the month of January."

Mr. Jones, of Grenville, seconded by Mr. Nichols, moves that the amendments made by the Honorable the Legislative Council in and to the Bill entitled "An Act to alter the times of holding the terms of Hilary and Michaelmas," be read a second time this day, and that the Fifth Rule of this House be dispensed with so far as relates to the said amendments. Which was carried and the amendments made by the Honorable the Legislative Council in and to the Bill entitled "An Act to alter the times of holding the terms of Hilary and Michaelmas," were read a second time, concurred in, and signed by the Speaker.

Mr. Jones, of Grenville, seconded by Mr. Nichol, moves that Messrs. Hagerman and McMartin be a Committee to acquaint the Honorable the Legislative Council that this House has concurred in the amendments made by that Honorable House in and to the Bill entitled "An Act to alter the times of holding the terms of Hilary and Michaelmas." Which was ordered.

Mr. Boulton, Master in Chancery,, brought down from the Honorable the Legislative Council a Message and having withdrawn the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have appointed a Committee of two Members to confer with the Committee of the Commons House of Assembly pursuant to the Report of the Joint Committee on the subject of the Resolutions of the Commons House of Assembly respecting the Tobacco Trade of this Province.

The Committee of the Legislative Council will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at 10 o'clock a.m. to-morrow.

Legislative Council Chamber,
6th January, 1824. WM. DUMMER POWELL, Speaker.

The House went again into Committee on the Kingston Bank Bill. Mr. Gordon in the Chair.

The House resumed. Mr. Gordon reported that the Committee had agreed to a Resolution which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow. Ordered that the Report be received and leave was granted accordingly, and it was

Resolved, that it is the opinion of this House that a Conference be requested with the Honorable the Legislative Council upon the Bill sent down from this House entitled "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada."

Mr. Gordon, seconded by Mr. Jones, of Leeds, moves that Messrs. Nichol and Burwell be a Committee to request a Conference of the Honorable the Legislative Council on the Bill entitled "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada." Which was ordered.

Agreeably to the Order of the day the Highway and Road Bill was read the second time.

Mr. Attorney General, seconded by Mr. Jones, of Grenville, moves that the House do now resolve itself into a Committee of the Whole on the Highway Bill. Which was carried and Mr. Baldwin was called to the Chair of the Committee.

The House resumed the Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a Message and having withdrawn the Speaker read the same as follows:

Mr. Speaker: The Honorable the Legislative Council have agreed to a Conference with the Commons House of Assembly on the subject matter of the Bill entitled "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada," and have appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at 11 o'clock a.m. to-morrow.

Legislative Council Chamber,
6th January, 1824. WM. DUMMER POWELL, Speaker.

Mr. Gordon, seconded by Mr. Jones, of Leeds, moves that Messrs. Attorney General, Jones of Grenville, Nichol and Morris be a Committee to meet the Committee of Conference appointed by the Honorable the Legislative Council on the Bill entitled "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada" sent down from that House. Which was ordered.

The House went again into Committee on the Highway and Road Bill. Mr. Baldwin in the Chair.

The House resumed. Mr. Baldwin reported progress and asked leave to sit

again to-morrow. Ordered that the Report be received and leave was granted accordingly.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 7th January, 1824.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day the Burlington Bay Canal Bill was read a third time.

Mr. Crooks, seconded by Mr. Morris, moves that the Bill do now pass and that it be entitled "An Act to amend and extend the provisions of an Act passed at the last Session of Parliament entitled "An Act to provide for constructing a Navigable Canal between Burlington Bay and Lake Ontario."

On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Randal, Clark, Peterson, Wilmot, Burwell, Baldwin, Pattie, McDonell, Chisholm, Kerr, McMartin, Jones (Grenville), McLean (Stormont), Willson (Prince Edward), Crooks, Morris, Ruttan, Bostwick.

Nays: Messrs Jones (Leeds), Casey, Walsh, White.

The question was carried in the affirmative by a majority of fourteen and the Bill signed.

Mr. Wilmot, seconded by Doctor Baldwin, moves that Messrs. Crooks and Chisholm be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act to amend and extend the provisions of an Act passed at the last Session of Parliament entitled "An Act to provide for constructing a Navigable Canal between Burlington Bay and Lake Ontario." Which was ordered.

Mr. Jones, of Grenville, seconded by Mr. Morris, moves that the Report of the Arbitrators on the subject of the improvement of the Saint Lawrence be now referred to a Committee of the whole House, and that the Fifth Rule of this House be dispensed with so far as relates thereto. Which was carried and Mr. Wilmot was called to the Chair.

The House resumed. Mr. Wilmot reported that the Committee had agreed to a Resolution which he was directed to submit for the adoption of the House.

On the question for receiving the Report the House divided and the yeas and nays were taken as follows:

Yeas: Messrs. Jones (Leeds), Nichol, Gordon, Randal, Clark, Peterson, Wilmot, Walsh, White, Casey, Pattie, Attorney General, Hagerman, Jones (Grenville), McMartin, Baldwin, Morris, Bostwick.

Nays: Mr. McDonell.

The question was carried in the affirmative by a majority of seventeen, the Report was received, and it was

Resolved, that it is expedient to confirm the determination of the Arbitrators respecting the improvement of the River Saint Lawrence.

Mr. Jones, of Grenville, seconded by Mr. McMartin, moves that Messrs. Nichol and Bostwick be a Committee to draft a Bill pursuant to the Resolution of this House. Which was ordered.

Mr. Nichol from the Committee appointed to draft a Bill pursuant to the foregoing Resolution reported a draft which was received and read the first time.

Mr. Nichol, seconded by Mr. Jones, of Grenville, moves that the Bill for confirming the decision of the Arbitrators respecting the survey of the River Saint Lawrence be read a second time to-morrow. Which was ordered.

Mr. Morris, seconded by Mr. Jones, of Grenville, moves for leave to bring in a Bill to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor in pursuance of the Address of this House during the last Session of Parliament and that the Fifth Rule be dispensed with so far as relates to the same. Which was granted and the Bill read.

Mr. Morris, seconded by Mr. Jones, of Grenville, moves that the Bill to make good certain moneys be read a second time this day. Which was carried and the Bill was read the second time.

Mr. Morris, seconded by Mr. Jones, of Grenville, moves that the House do now resolve itself into a Committee of the Whole on the Bill to make good certain moneys. Which was carried and Mr. Randal was called to the Chair of the Committee.

The House resumed. Mr. Randal reported the Bill without amendment. Ordered that the Report be received.

Mr. Morris, seconded by Mr. Jones, of Grenville, moves that the Bill to make good certain moneys be engrossed and read a third time this day. Which was ordered.

Agreeably to the order of the day the House went into Committee on the Kingston Police Bill. Mr. Clark in the Chair.

The House resumed. Mr. Clark reported the Bill as amended. Ordered that the Report be received.

Mr. Hagerman, seconded by Mr. Burwell, moves that the Kingston Police Bill be engrossed and read a third time on to-morrow. Which was ordered.

Agreeably to the order of the day the Bill to make good certain moneys was read the third time.

Mr. Morris, seconded by Mr. Jones, of Grenville, moves that the Bill do now pass and that it be entitled "An Act to make good certain moneys advanced by His Majesty pursuant to the Address of the House of Assembly at the last Session of Parliament to His Excellency the Lieutenant Governor." Which was carried and the Bill signed.

Mr. Wilmot, seconded by Mr. Peterson, moves that Messrs. Morris and Jones, of Grenville, be a Committee to carry to the Honorable the Legislative Council the Bill entitled "An Act to make good certain moneys advanced by His Majesty pursuant to the Address of the House of Assembly at its last Session of Parliament to His Excellency the Lieutenant Governor," and request their concurrence thereto. Which was ordered.

Agreeably to notice Mr. Baldwin, seconded by Mr. White, moves for leave to bring in a Bill for the establishment of a University within this Province. Which was granted and the Bill read.

Mr. Baldwin, seconded by Mr. White, moves that the University Bill be read a second time to-morrow. Which was ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the House do now resolve itself into a Committee of the Whole on Ways and Means. Which was carried and Mr. Kerr was called to the Chair of the Committee. The House resumed.

Mr. Kerr reported that the Committee had agreed to two Resolutions, and asked leave to sit again to-morrow. Ordered that the Report be received and leave was granted accordingly.

The Resolutions were then severally put and carried as follows:

Resolved, That it is expedient to authorize the Executive Government of this

Province to treat with the holders of any Government Debentures issued under the 2nd Geo. 4, ch. 5, for the postponement of the period of payment of the same or any part thereof.

Resolved, That in the present state of uncertainty as to the amount of our Revenue arising from duties imposed on Merchandize imported into Quebec, and as to the time of its receipt, it is expedient to authorise the Loan upon Debenture of a sum not exceeding £25,000, to be applied towards the public service for the year 1824, and to be charged upon the Revenues to be received from Lower Canada.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that a Special Committee be appointed to draft a Bill in conformity to the Resolutions adopted by the House, and that Messrs. Burwell and McLean of Stormont do compose the said Committee. Which was ordered.

Mr. McLean of Stormont, from the Committee to wait upon His Excellency the Lieutenant Governor to know when he would be pleased to receive the Address to His Majesty relative to the Claims of the Church of Scotland, reported that His Excellency had been pleased to name the hour of one p.m. to-morrow.

Agreeably to the order of the day, the Probate and Surrogate Court Bill was read the second time.

Mr. Hamilton of Lincoln, seconded by Mr. Jones of Grenville, moves that the House do now resolve itself into a Committee of the Whole on the Surrogate and Probate Bill. Which was carried, and Mr. Baby was called to the Chair of the Committee.

The House resumed. Mr. Baby reported the Bill without amendment. Ordered that the Report be received.

Mr. Hamilton of Lincoln, seconded by Mr. Jones of Grenville, moves that the Surrogate and Probate Bill be engrossed and read a third time on to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Canal Commissioners' Report. Mr. Horner was called to the Chair of the Committee. The House resumed.

Mr. Horner reported that the Committee had agreed to two Resolutions, which he was directed to submit for the adoption of the House.

On the question for receiving the report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones, Gordon, Bostwick, Peterson, Horner, Wilmot, Ruttan, White, Pattie, Clark, McDonell, Hamilton (of Lincoln), Robinson, Hagerman, Attorney General, McMartin, Willson (of Prince Edward), Chisholm, Morris, Nichol, Randal.

Nays: Messrs. Walsh, Casey, Baby.

The question was carried in the Affirmative by a majority of Eighteen, the Report was received, and the resolutions were adopted as follows:

Resolved, That it is expedient to amend and continue for a limited time the Laws now in force relative to the Inland Navigation of this Province.

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor praying His Excellency to transmit the Supplementary Report of the Commissioners of Internal Navigation, with Copies of the Plans and Estimates connected therewith, with such observations as may occur to His Excellency thereon, to His Majesty's Government in Great Britain.

Mr. Nichol, seconded by Mr. Hagerman, moves that Messrs. Gordon and Jones of Leeds be a Committee to prepare a Bill and Address founded on the Resolu-

tions of this House, relative to the Internal Navigation of this Province. Which was ordered.

Agreeably to the order of the day, the House went into Committee of Supply.

Mr. Casey in the Chair. The House resumed.

Mr. Casey reported that the Committee had agreed to a certain Resolution, and asked leave to sit again to-morrow. Ordered that the Report be received, and leave was granted accordingly.

The Resolution reported was then put and carried as follows:

Resolved, That the sum of One Thousand Pounds be granted to His Majesty to enable His Majesty to defray the Expenses that may be incurred under the Laws of this Province relative to Inland Navigation.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that Messieurs Gordon and Jones of Leeds be directed to provide for the appropriation of the sum voted in the said Resolution, in the Bill which they have been directed to prepare for amending and continuing the Laws relative to Internal Navigation. Which was ordered.

Mr. Jones of Leeds, from the Committee to whom was referred the Petition of William Bergin and others, reported as follows:

The Committee to whom was referred the Petition of certain Inhabitants of Upper Canada against Orange Societies, have considered the matters therein stated, and have agreed to report certain Resolutions, which they respectfully recommend to the adoption of the House as follows:

Resolved, That this Committee having taken into consideration the petition of William Bergin and others, are of opinion that the Petitioners and all others of His Majesty's subjects may rely with confidence on the sufficiency of the Laws now existing to repress or punish any tumults or violence to the persons or properties of individuals, and that this House is desirous to forbear noticing those political parties or distinctions alluded to in the Petition, in any other manner than by expressing their hope that they may be speedily forgotten.

Resolved, That as all His Majesty's Subjects in the Province enjoy equal rights without regard to religious distinction, this House hopes that the good sense and good feeling of the Petitioners and of their Countrymen of whom they complain will gradually correct the evil; that the one will see that there is neither necessity nor propriety in continuing in this country those Political Associations, which all their fellow subjects desire to see abolished, and that in the meantime the others, conscious that they share every privilege of subjects, will learn to treat such associations with silent disregard.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Resolutions reported by the Special Committee to whom was referred the Petition of William Bergin and others be concurred in.

In amendment, Mr. Jones of Leeds, seconded by Mr. McDonell, moves that after the words "Attorney General" in the original motion the whole be expunged, and the following inserted, "That the Resolutions reported by the Select Committee to whom was referred the Orange Petition be not concurred in, and that the said Committee be ordered to reconsider the same."

On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. McDonell, Jones (of Leeds), Peterson, Horner, Baby.

Nays: Messrs. Burwell, Gordon, Walsh, Bostwick, Casey, Hamilton (of Wentworth), Baldwin, White, Pattie, Ruttan, Wilmot, Clark, Hamilton (of Lincoln),

McMartin, Willson (of Prince Edward), Hagerman, Crooks, Morris, Attorney General, Chisholm, Jones (of Grenville), McLean (of Stormont), Robinson.

The question was decided in the negative by a majority of eighteen and lost accordingly.

On the original question the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Burwell, Gordon, Walsh, Casey, Bostwick, Hamilton (of Wentworth), Baldwin, White, Pattie, Ruttan, Wilmot, Hamilton (of Lincoln), McMartin, Willson (of Prince Edward), Crooks, Attorney General, Morris, Nichol, Chisholm, Jones (of Grenville), McLean (of Stormont), Robinson, Clark.

Nays: Messrs. McDonell, Jones (of Leeds), Randal, Peterson, Horner, Baby, Hagerman.

The question was carried in the Affirmative by a Majority of Sixteen, and the Resolutions reported on the Petition of William Bergin and others were concurred in.

Mr. McLean of Stormont, from the Committee ordered to draft Bills in conformity to the several Resolutions reported by the Committee of Supply, reported the following Bills:

Supply Bill, Arbitrators' Compensation Bill, Gwillimbury and Otonabee Road Bill, and Serjeant at Arm's Pension Bill.

The Supply Bill was then read the first time.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the Supply Bill be read a second time to-morrow. Which was ordered.

The Arbitrators' Compensation Bill was then read the first time.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the Arbitrators' Compensation Bill be read a second time to-morrow. Which was ordered.

The Gwillimbury and Otonabee Bill was then read the first time.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the Gwillimbury and Otonabee Road Bill be read a second time to-morrow. Which was ordered.

The Serjeant at Arm's Pension Bill was then read the first time.

Mr. McLean of Stormont, seconded by Mr. Robinson, moves that the Bill granting a Pension to the Serjeant at Arms be read a second time to-morrow. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Receiver General's Poundage Bill. Mr. Horner in the Chair.

The House resumed. The Black Rod being at the door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled, "An Act to repeal an Act passed in the forty-fifth year of his late Majesty's reign entitled, 'An Act to regulate the Trial of Controverted Elections or Returns of Members to serve in the House of Assembly, and to make more effectual provision for such Trials'"—which they had passed without amendment. Also the Bill entitled, "An Act to Repeal the Laws now in Force for the Preservation of the Salmon Fishery in this Province, and to make more effectual provisions for a limited time for the preservation of the said Fishery," to which they had made some amendments and to which he was desired to request the concurrence of this House; and having withdrawn, the Amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to repeal the Laws now in force for the Preservation of the Salmon Fishery in this Province, and to make more effectual provision for a limited time for the Preservation of the said Fishery," were read as follows:

Press 2, Line 2, after " the," expunge " tenth of November," and insert " first of October."

Mr. Ruttan, seconded by Mr. Hamilton of Lincoln, moves that the Amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to repeal the Laws now in Force for the Preservation of the Salmon Fishery in this Province, and to make more effectual provision for a limited time for the Preservation of the said Fishery," be read a second time this day three months. Which was carried.

The House went again into Committee on the Receiver General's Poundage Bill. Mr. Horner in the Chair. The House resumed.

Mr. Horner reported progress and asked leave to sit again this day three months.

On the question for receiving the Report the House divided, and the yeas and nays were taken as follows:

Yeas: Messrs. Clark, Gordon, Baby, Peterson, Hamilton (of Wentworth), Randal, Jones (of Leeds), Horner, McMartin, Attorney General, Morris, Jones (of Grenville), Chisholm, McLean (of Stormont), Robinson.

Nays: Messrs. Bostwick, Burwell, Ruttan, Hagerman, Nichol, Casey, Crooks, Wilson (of Prince Edward).

The question was carried in the Affirmative by a Majority of Seven, the Report was received and leave granted accordingly.

Mr. Peterson gives notice that he will, on to-morrow, move for leave to bring in a Bill to increase the Wages of the Members of the House of Assembly.

The House then adjourned till ten o'clock to-morrow.

Thursday, 8th January, 1824.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Kingston Police Bill was read the third time.

Agreeably to the order of the day, the Probate and Surrogate Court Bill was read the third time.

Mr. McLean of Stormont, seconded by Mr. Morris, moves that the following Clause be added as a Rider to the Probate and Surrogate Court Bill: "And be it further enacted by the authority aforesaid, that it shall be lawful for the Judges of His Majesty's Court of King's Bench in this Province from time to time to establish a Table of Fees for such services in either of the said Courts as are not now provided for by Law." Which was lost.

Mr. Hamilton of Lincoln, seconded by Mr. Casey, moves that the Bill do now pass and that it be entitled, "An Act to amend the Laws now in force respecting the Courts of Probate and Surrogate Courts in this Province."

On which the House divided and the yeas and nays were taken as follows:

Yeas: Messrs. Jones (of Leeds), Burwell, Casey, Clark, Randal, Jones (of Grenville), White, Pattie, Horner, Nichol, Ruttan, McMartin, Hamilton (of Lincoln), Willson (of Prince Edward), Robinson, Morris, McLean (of Stormont), Bostwick.

Nays: Messrs. Baldwin, McDonell, Walsh.

The question was carried in the Affirmative by a majority of fifteen, and the Bill was signed.

Mr. Jones of Leeds, seconded by Mr. Burwell, moves that the Kingston Police Bill do now pass, and that it be entitled, "An Act to make more ample provision

for regulating the Police of the Town of Kingston." Which was carried and the Bill signed.

Mr. McLean of Stormont, seconded by Mr. Hamilton, moves that Messrs. Jones of Grenville and McMartin be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to amend the Laws now in force respecting the Courts of Probate and Surrogate Courts in this Province," and the Bill entitled, "An Act to make more ample provision for regulating the Police of the Town of Kingston," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the Petition of Charles Fothergill, Esquire, praying to be paid by the page for printing Statutes, and the Petition of James Miles, Esquire, praying for legal authority to convey a certain lot of Land for Religious purposes were brought up.

Mr. Ruttan, seconded by Mr. McDonell, moves that the Petition of Charles Fothergill be referred to Messrs. Robinson, Burwell, and Jones of Leeds to report thereon. Which was ordered.

Mr. Wilmot, seconded by Mr. Clark, moves that the Petiton of James Miles, Esquire, of Yonge Street, be referred to a Select Committee, and that Messrs. Attorney General and Baldwin do compose the same, and that they have power to send for Persons and Papers and report by Bill or otherwise. Which was ordered.

Agreeably to the order of the day, the House went into Committee on His Excellency's Message respecting the Civil List.

Mr. Walsh was called to the Chair. The House resumed. Mr. Walsh reported progress, and asked leave to sit again to-day. Ordered that the Report be received and leave was granted accordingly.

At a quarter before one o'clock the Speaker and House proceeded to wait on His Excellency the Lieutenant Governor with the Address to His Majesty on the Claims of the Church of Scotland, and having returned the Speaker reported delivering the Address, and that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly,—I shall take an early opportunity of forwarding to His Majesty's Principal Secretary of State for the Colonies your Address to the King in behalf of the Clergy of the Established Church of Scotland, in order that it may be submitted to His Majesty.

Mr. Boulton, Master in Chancery, brought down from The Honorable the Legislative Council the Bill entitled, "An Act to make permanent and extend the provisions of the Laws now in force for the Establishment and regulation of Common Schools throughout this Province, and for granting to His Majesty a further sum of money to promote and encourage education within the same," which they had passed without amendment, and withdrew.

Agreeably to the order of the day, the House went into Committee on His Excellency's message respecting Civil List. Mr. Walsh in the Chair.

The House resumed the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a message and having withdrawn the Speaker read the same as follows:

Mr. Speaker,—The Honorable the Legislative Council requests a Conference with the Commons House of Assembly, to prepare an Address to His Majesty founded upon the Resolutions sent up from the Commons House of Assembly, on the subject of the Boundary Line between this Province and the United States of America; and one to His Excellency the Lieutenant Governor praying him to transmit the same.

The Legislative Council has appointed a Committee of two Members, who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at 10 o'clock a.m. to-morrow.

Legislative Council Chamber.

8th January, 1824. WM. DUMMER POWELL, Speaker.

Mr. Nichol, seconded by Mr. Gordon, moves that it be resolved, that this House do accede to the request of the Honorable the Legislative Council for a Conference to prepare jointly with a Committee appointed by that House, an Address to His Majesty founded on the Resolutions sent up from this House, on the subject of the Boundary Line between this Province and the United States of America; and one to His Excellency the Lieutenant Governor, praying him to transmit the same; and that the Attorney General, Messrs. Hagerman, Jones of Grenville, and McLean be a Committee for that purpose. Which was ordered.

Mr. Burwell, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address relative to the late Battalion of Incorporated Militia, reported delivery of same, and that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly,—I shall take an early opportunity of transmitting to Earl Bathurst, the documents which you are desirous should be laid before His Majesty's Government as explanatory of the claim of the late Incorporated Battalion of Militia to half pay.

Mr. Morris, seconded by Mr. Kerr, moves that Messrs. Crooks and Bostwick be a Committee to acquaint the Honorable the Legislative Council that this House have acceded to their request for a Conference on the subject of the Boundary Line, and have appointed a Committee of four of its Members, who will be ready to meet the Committee of that Honorable House in the Joint Committee Room at the time appointed. Which was ordered.

The House went again into Committee on His Excellency's message respecting the Civil List. Mr. Walsh in the Chair.

The House resumed. Mr. Walsh reported progress and asked leave to sit again this day. Ordered that the report be received, and leave was granted accordingly.

Mr. Gordon, from the Committee appointed to draft a Bill pursuant to a Resolution of the House on Canal Commissioners' Report, reported a Draft which was received and read the first time.

Mr. Nichol, seconded by Mr. Gordon, moves that the Bill on Internal Navigation be read a second time to-morrow. Which was ordered.

Mr. Burwell, from the Committee to whom was referred the Petition of Charles Ingersol and others reported a Bill, which was received and read the first time.

Mr. Burwell, seconded by Mr. Gordon, moves that the Stage Coach Bill be read a second time on to-morrow. On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Burwell, Gordon, Clark, Hamilton (Wentworth), Baby, Pattie, Chisholm, Crooks, Bostwick, Kerr, Casey.

Nays: Messrs. Hamilton (Lincoln), Nichol, Hagerman, Ruttan, White, Horner, Walsh, McLean (Stormont), Jones (Grenville), Attorney General, Robinson, Morris, McMartin, Peterson, Wilson (Prince Edward).

The question was carried in the negative by a majority of three and lost accordingly.

Agreeably to the order of the day, the House went again into Committee on His Excellency's message respecting the Civil List. Mr. Walsh in the Chair.

The House resumed the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a message and having withdrawn the Speaker read the same as follows:

Mr. Speaker,—The Honorable the Legislative Council request a Conference with the Commons House of Assembly on the subject matter of the Bill sent up for the concurrence of this House entituled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's Reign, entitled An Act for granting to His Majesty, His Heirs and Successors to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places," and also an Act passed in the forty-third year of His late Majesty's Reign, entitled "An Act to explain and amend an Act passed in the forty-first year of His late Majesty's Reign, entitled 'An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places,' and to provide more effectually for the collection and payment of duties on goods and merchandize coming from the United States of America into this Province, and also to establish a fund for the erection and repairing of Light Houses, and to make more effectual provision for the due collection of duties on goods imported into this Province."

The Legislative Council have appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at 11 o'clock a.m. to-morrow.

Legislative Council Chamber,

8th January, 1824. WM. DUMMER POWELL, Speaker.

Mr. Gordon, seconded by Mr. Walsh, moves that the request of the Honorable the Legislative Council for a Conference on the Bill entitled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's Reign, entitled 'An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places,'" and also an Act passed in the forty-third year of His late Majesty's Reign entitled, An Act to explain and amend an Act passed in the forty-first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places, and to provide more effectually for the collection and payment of duties on goods and merchandize coming from the United States of America into this Province, and also to establish a Fund for the erection and repairing of Light Houses, and to make more effectual provision for the due collection of duties on goods imported into this Province," be concurred in, and that Messrs. Attorney General, Jones of Grenville, Nichol and Hagerman be a Committee of this House to meet the Committee of the Honorable the Legislative Council. Which was ordered.

Mr. Hagerman, seconded by Mr. Nichol, moves that Messrs. Gordon and

Walsh be a Committee to acquaint the Honorable the Legislative Council that this House has concurred in the request of that Honorable House for a Conference on the Bill entitled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's Reign, entitled 'An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America, as are now paid on goods and merchandize imported from Great Britain and other places,' and also an Act passed in the forty-third year of His late Majesty's Reign, entitled 'An Act to explain and amend an Act passed in the forty-first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places," and to provide more effectually for the collection and payment of duties on goods and merchandize coming from the United States of America into this Province, and also to establish a Fund for the erection and repairing of Light Houses,' and to make more effectual provision for the due collection of duties on goods imported into this Province." Which was ordered.

The House went again into Committee on His Excellency's Message relative to the Civil List. Mr. Walsh in the Chair.

The House resumed. Mr. Walsh reported that the Committee had agreed to two Resolutions. Ordered that the report be received.

The first resolution was then put on which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Hagerman, Burwell, Gordon, Clark, Baby, Wilmot, Hamilton (Lincoln), Ruttan, Jones (Grenville), Attorney General, McLean (Stormont), Crooks, Morris, Bostwick, McMartin, Robinson, Horner, Randal, Walsh, Kerr, Chisholm, Hamilton (Wentworth).

Nays: Messrs. Jones (Leeds), White, Pattie, Casey, Peterson, Willson (Prince Edward).

The question was carried in the affirmative by a majority of seventeen and it was

Resolved, That it is impossible for this Province at the present time to assume the payment of the Civil List without resort to direct taxation, which the distressed state of the people and property of this Province renders wholly impracticable, but that this House consider itself bound by every exertion in its power to make effectual its enactment of last Session, by providing the means of defraying the interest of the loan of £50,000.

The second Resolution was then put and carried as follows:

Resolved, That an humble Address be presented to His Majesty, expressive of the deep sense this House entertains of His Majesty's gracious consideration of the claims of His Subjects of this Province for remuneration for losses sustained by them in consequence of the incursions of the enemy during the late war with the United States, as evinced by the sum that has already been appropriated by His Majesty's Government for the purpose of in part indemnifying them, and humbly beseeching that His Majesty will continue to extend His Royal Bounty to these Claimants, who from the embarrassed state of the finances of the Province are prevented from anticipating any effectual remuneration from its Treasury, and in particular to represent to His Majesty that many of the claims are for loss sustained by the destruction of the houses and other property of the inhabitants by order of His Majesty's General; and also for houses destroyed by the enemy from having

been occupied as Barracks or Depots by His Majesty's Troops, and which might therefore be considered as direct claims on the National Treasury.

Mr. Nichol, seconded by Mr. Hagerman, moves that the first Resolution be referred to the Committee of Ways and Means. Which was ordered.

Mr. Hagerman, seconded by Mr. Clark, moves that Messrs. Attorney General and Nichol be a Committee to draft an Address to His Majesty pursuant to the Resolution of this House relative to claims for losses sustained during the late war. Which was ordered.

Agreeably to the order of the day, the House went into Committee on His Excellency's message of the third instant. Mr. Randal was called to the Chair.

The House resumed. Mr. Randal reported that the Committee had risen.

The House then adjourned till ten o'clock to-morrow.

Friday, 9th January, 1824.

The House met. Prayers were read. The minutes of yesterday were read.

Mr. Gordon, from the Committee appointed to draft an Address to His Excellency the Lieutenant Governor on the Supplementary Report of the Canal Commissioners, reported a Draft, which was received and read the first time.

Mr. Gordon, seconded by Mr. Nichol, moves that the Address to His Excellency The Lieutenant Governor relative to the Supplementary Report of the Canal Commissioners be read a second time this day; and that the fifth Rule of the House be dispensed with in so far as relates to the said Address. Which was carried and the Address was read the second time.

Mr. Gordon, seconded by Mr. Nichol, moves that the Address to His Excellency the Lieutenant Governor be concurred in and that it be engrossed and read a third time this day. Which was carried and ordered.

Mr. Baldwin, seconded by Mr. Hamilton of , moves that the Petition of John D. Peterson be referred to a Select Committee and that Messrs. Willson of Prince Edward and Walsh do form such Committee. Which was lost.

Mr. Burwell, seconded by Mr. Randal, moves that Reuben White, Esquire, a Member of this House, have leave of absence for the remainder of the Session. Which was granted.

Agreeably to the order of the day, the Saint Lawrence Survey Bill was read the second time.

Mr. Nichol, seconded by Mr. Gordon, moves that the House do now resolve itself into a Committee to take into consideration the Saint Lawrence Survey Bill. Which was carried and Mr. Horner was called to the Chair of the Committee.

The House resumed. Mr. Horner reported the Bill amended. Ordered that the report be received.

Mr. Nichol, seconded by Mr. Gordon, moves that the Saint Lawrence Survey Bill be engrossed and read a third time this day, and that the fifth Rule of the House be dispensed with for that purpose. Which was ordered.

Agreeably to the order of the day, the University Bill was read the second time.

Mr. Baldwin, seconded by Mr. Hamilton, moves that the House resolve itself into a Committee of the whole on the University Bill. Which was carried and Mr. Peterson was called to the Chair of the Committee.

The House resumed. Mr. Peterson reported that the Committee had risen.

Agreeably to the order of the day, the Supply Bill was read the second time.

Mr. McLean of Stormont, seconded by Mr. Morris, moves that the Supply

Bill be now referred to a Committee of the whole House. Which was carried and Mr. Pattie was called to the Chair of the Committee.

The House resumed. Mr. Pattie reported progress and asked leave to sit again this day. Ordered that the report be received and leave was granted accordingly.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor on the Supplementary Report of the Canal Commissioners was read the third time, passed and signed and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of The Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada and Major General Commanding His Majesty's Forces within the same, etc.

May it please your Excellency,—We His Majesty's Dutiful and Loyal Subjects, the Commons of Upper Canada in Provincial Parliament Assembled, humbly pray that your Excellency would be pleased to transmit the Supplementary Report of the Commissioners of Internal Navigation with copies of the plans and estimates connected therewith with such observation as may occur to your Excellency therein, to His Majesty's Government in Great Britain.

Commons House of Assembly,

9th January, 1824. LEVIUS P. SHERWOOD, Speaker.

Mr. Gordon, seconded by Mr. Jones of Leeds, moves that Messrs. Nichol and McLean of Stormont be a Committee to wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive the address of this House relative to the Supplementary Report of the Canal Commissioners, and to present the same. Which was ordered.

Agreeably to the order of the day, the Arbitrators' Compensation Bill was read the second time.

Mr. Morris, seconded by Mr. Crooks, moves that the House do now resolve itself into a Committee of the whole on the Arbitrators' Compensation Bill. Which was carried and Mr. Hamilton of Wentworth was called to the Chair of the Committee.

The House resumed. Mr. Hamilton of Wentworth reported the Bill without amendment. Ordered that the report be received.

Mr. Morris, seconded by Mr. Crooks, moves that the Arbitrators' Compensation Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Gwillimbury and Otanabee Road Bill was read the second time.

Mr. Ruttan, seconded by Mr. Morris, moves that the House do now resolve itself into a Committee of the whole on the Gwillimbury and Otanabee Road Bill. Which was carried and Mr. Chisholm was called to the Chair of the Committee.

The House resumed. Mr. Chisholm reported the Bill amended. Ordered that the report be received.

Mr. Ruttan, seconded by Mr. Morris, moves that the Gwillimbury and Otonabee Road Bill be engrossed and read a third time on to-morrow. Which was ordered.

Agreeably to the order of the day, the Serjeant at Arms Pension Bill was read the second time.

Mr. Morris, seconded by Mr. McLean of Stormont, moves that the House do now resolve itself into a Committee of the whole on the Bill to provide a Pension for the Serjeant at Arms. Which was carried and Mr. Bostwick was called to the Chair of the Committee.

The House resumed. Mr. Bostwick reported the Bill without amendment. Ordered that the report be received.

Mr. Morris, seconded by Mr. Crooks, moves that the Serjeant at Arms Pension Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that so much of the order of the day as relates to the bringing in a Bill to increase the Wages of the Members of the House of Assembly be discharged. On which the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Burwell, Robinson, Gordon, Wilmot, Baby, Pattie, Attorney General, Walsh, McDonell, Kerr, Hamilton (Lincoln), Chisholm, Casey, Hagerman, McMartin, Jones (Grenville), Crooks, Morris, McLean (Stormont), Bostwick.

Nays: Messrs. Nichol, Clark, Peterson, Hamilton (Wentworth), Baldwin, Horner, Randal, Ruttan, Willson (Prince Edward).

The question was carried in the affirmative by a majority of twelve and ordered accordingly.

Agreeably to the order of the day, the Internal Navigation Bill was read the second time.

Mr. Nichol, seconded by Mr. Gordon, moves that the House do now resolve itself into a Committee of the whole to take the Internal Navigation Bill into consideration. Which was carried and Mr. Jones of Leeds was called to the Chair of the Committee.

The House resumed the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intitled, "An Act to make good certain monies advanced by His Majesty pursuant to the Address of the House of Assembly at the last Session of Parliament to His Excellency the Lieutenant Governor"; the Bill entitled, "An Act to increase the Salary of the Assistant Adjutant General of Militia"; the Bill entitled, "An Act to amend and extend the provisions of an Act passed at the last Session of Parliament entitled, 'An Act to provide for constructing a Navigable Canal between Burlington Bay and Lake Ontario,' and the Bill entitled, 'An Act for the relief of James Carrol,'" which they had passed without amendment, and withdrew.

The House went again into Committee on the Internal Navigation Bill. Mr. Jones of Leeds in the Chair.

The House resumed. Mr. Jones reported the Bill as amended.

On the question for receiving the report the House divided and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Nichol, Clark, Hamilton (Wentworth), Peterson, Robinson, Wilmot, Horner, Randal, Pattie, Hamilton (Lincoln), Gordon, Kerr, Ruttan, Chisholm, Hagerman, Jones (Grenville), Morris, Bostwick.

Nays: Messrs. Baby, Walsh, McMartin, Casey, Crooks.

The question was carried in the affirmative by a majority of fourteen and the report was received accordingly.

Mr. Nichol, seconded by Mr. Gordon, moves that the Internal Navigation Bill be engrossed and read a third time to-morrow. Which was ordered.

Mr. Kerr, from the Committee to whom was referred the Petition of Aaron Beebee and others reported as follows:

To the Honorable the Commons House of Assembly,—The Committee to whom was referred the Petition of the Inhabitants of the Township of Louth, in the

Niagara District, praying for information in so far as respects the position of the allowance for a Road on the Concession Lines,

Beg leave to report as their opinion, that the most correct and easy mode for the Petitioners to obtain the information they have required, would be for them to apply by Petition, stating their case to His Excellency the Lieutenant Governor.

All which is most humbly submitted.

Committee Room, House of Assembly,
8th January, 1824. WILLIAM J. KERR, Chairman.

Mr. Wilmot, from the Committee to whom was referred the Petition of James Miles, Esquire, reported a Bill which was received and read the first time.

Mr. Wilmot, seconded by Doctor Baldwin, moves that the Bill for Religious and Charitable purposes be read a second time on to-morrow. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Saturday, 10th January, 1824.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Saint Lawrence Survey Bill was read the third time.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that the Saint Lawrence Survey Bill do now pass and that it be entitled, "An Act to sanction and make valid an agreement made at Montreal on the fifth of August, Eighteen Hundred and Twenty Three, by the Arbitrators appointed for Upper Canada and Lower Canada, under the authority of an Act of the Parliament of Great Britain passed in the third year of His Majesty's Reign, entitled 'An Act to regulate the trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces,' for obtaining a survey of the River Saint Lawrence, and for the appointment of Commissioners for that purpose." Which was carried and the Bill signed.

Agreeably to the order of the day, the Arbitrator's Compensation Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Arbitrator's Compensation Bill do now pass, and that it be entitled, "An Act granting to His Majesty a sum of money to enable His Majesty to compensate the services of the Arbitrator appointed under the Act of the Imperial Parliament, passed in the third year of His Majesty's Reign, entitled 'An Act to regulate the Trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces,' and also to compensate the Secretary who accompanied the said Arbitrator during the several negotiations in Lower Canada." Which was carried and the Bill signed.

Agreeably to the order of the day, the Gwillimbury and Otonabee Bill was read the third time.

Mr. Ruttan, seconded by Mr. Morris, moves that the Bill do now pass and that it be entitled, "An Act granting to His Majesty a Sum of Money for the purposes therein mentioned." Which was carried and the Bill signed.

Agreeably to the order of the day, the Serjeant at Arms' Pension Bill was read the third time.

Mr. Morris, seconded by Mr. McMartin, moves that the Bill do now pass and that it be entitled, "An Act granting to His Majesty a sum of money to remunerate Allan McNabb, Esquire, Serjeant at Arms, for past services, and to provide a Pension for him during his natural life. Which was carried and the Bill signed.

Agreeably to the order of the day, the Internal Navigation Bill was read the third time.

Mr. Jones of Grenville, seconded by Mr. Morris, moves that the Bill do now pass and that it be entitled, "An Act to continue for a limited time an Act passed in the second year of His Majesty's Reign, entitled 'An Act to make provision for the improvement of the Internal Navigation of this Province,' as amended by an Act passed in the third year of His Majesty's Reign, entitled 'An Act to amend and extend the provisions of an Act passed in the second year of His Majesty's Reign, entitled "An Act to make provision for the improvement of the Internal Navigation of this Province, (except so much thereof is is thereby repealed) and to grant a further sum of money for such improvement.'" Which was carried and the Bill signed.

Mr. Jones of Grenville, seconded by Mr. Peterson, moves that Messrs. Morris and Chisholm be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act granting to His Majesty a sum of money to enable His Majesty to compensate the services of the Arbitrator appointed under the Act of the Imperial Parliament passed in the third year of His Majesty's Reign, entitled, 'An Act to regulate the Trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces,' and also to compensate the Secretary who accompanied the said Arbitrator during the several negotiations in Lower Canada"—the Bill entitled, "An Act to sanction and make valid an agreement made at Montreal on the fifth of August, One Thousand Eight Hundred and Twenty-three, by the Arbitrators appointed for Upper and Lower Canada, under the authority of an Act of the Parliament of Great Britain passed in the third year of His Majesty's Reign, entitled 'An Act to regulate the Trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces' for obtaining a Survey of the River Saint Lawrence, and for the appointment of Commissioners for that purpose,"—the Bill entitled, "An Act granting to His Majesty a sum of money to remunerate Allan McNabb, Esquire, Serjeant at Arms, for past services, and to provide a pension for him during his natural life,"—the Bill entitled, "An Act granting to His Majesty a sum of money for the purposes therein mentioned"—and the Bill entitled, "An Act to continue for a limited time an Act passed in the second year of His Majesty's Reign, entitled An Act to make provision for the improvement of the Internal Navigation of this Province," as amended by an Act passed in the third year of His Majesty's Reign, entitled "An Act to amend and extend the provisions of an Act passed in the second year of His Majesty's Reign, entitled 'An Act to make provision for the improvement of the Internal Navigation of this Province, (except so much thereof as is thereby repealed), and to grant a further sum of money for such improvement,'" and request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Supply Bill. Mr. Pattie in the Chair.

The House resumed. Mr. Pattie reported the Bill without amendment.

On the question for receiving the report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Burwell, Gordon, Nichol, Randal, Peterson, Wilmot, Robinson, Ruttan, Hagerman, Chisholm, Hamilton (Lincoln), Crooks, Morris, McMartin, Jones (Grenville), Bostwick.

Nays: Messrs. Walsh, Clark, Baldwin, Horner, Pattie.

The question was carried in the affirmative by a majority of twelve and the report was received accordingly.

Mr. Jones of Grenville, seconded by Mr. Robinson, moves that the Supply Bill be engrossed and read a third time this day, and that the fifth rule of this House be dispensed with so far as relates to the same. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Bill entitled, "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada." Mr. Bostwick in the Chair.

The House resumed the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill intitled "An Act for the relief of Hiram Spafford," which they had passed with some amendments, and to which he was directed to request the concurrence of this House, and having withdrawn, the amendments made by the Honorable the Legislative Council in and to the Bill intitled, "An Act for the relief of Hiram Spafford," were read as follows:

Press. 1, Line 13. After the word "day" expunge "One hundred and."

Mr. Jones of Leeds, seconded by Mr. Nichol, moves that the amendments in and to the Bill entitled "An Act for the relief of Hiram Spafford" sent down by the Honorable the Legislative Council, be read a second time this day, and that the fifth rule of this House be dispensed with, in so far as it relates to the same. Which was carried and the amendments to the Bill entitled, "An Act for the relief of Hiram Spafford," were read the second time, passed and signed by the Speaker.

Mr. Jones of Leeds, seconded by Mr. Nichol, moves that Messrs. Walsh and Bostwick be a Committee to inform the Honorable the Legislative Council, that this House has concurred in the amendments made by that Honorable Body to the Bill entitled, "An Act for the relief of Hiram Spafford." Which was ordered.

The House went again into Committee on the Bill entitled, "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada." Mr. Bostwick in the Chair.

The House resumed, Mr. Bostwick reported the Bill as amended. On the question for receiving the House divided, and the yeas and nays were taken as follows:

Yeas: Messrs. Jones (Leeds), Hamilton (Lincoln), Burwell, Nichol, Gordon, Randal, Wilmot, Clark, Baby, Horner, Ruttan, Walsh, Robinson, Hagerman, Attorney General, Pattie, McMartin, Bostwick.

Nays: Messrs. Baldwin, Willson (Prince Edward).

The question was carried in the affirmative by a majority of sixteen and the report was received accordingly.

The amendments to the Bill entitled, "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada," were then read as follows:

In the Title, Line 1. After "Act," expunge the remainder of the Title, and insert, "to repeal part of an Act passed in the last Session of Parliament entitled, 'An Act vesting in the hands of certain Commissioners therein named all the Stock, Debts, Bonds and property of the pretended Bank of Upper Canada, lately established at Kingston for the benefit of the creditors of that institution,' and to make further provision for settling the affairs of the said pretended bank."

Press. 1, Line 1. After "to," expunge the remainder of the Preamble, and insert "repeal part of an Act passed in the last Session of Parliament entitled, 'An Act vesting in the hands of certain Commissioners therein named all the Stock, Debts, Bonds, and property of the pretended Bank of Upper Canada, lately established at Kingston for the benefit of the creditors of that institution, and to make further provision for settling the affairs of the said pretended Bank.'"

Press. 1, Line 10. After "that," insert the following words, "so much of the last clause of the said recited Act as restrains the persons therein named from selling, conveying, or transferring their personal estate be and the same is hereby repealed."

"And be it further enacted by the authority aforesaid, that."

Press. 1, Line 17. After "thereof" expunge the remainder of the clause to the proviso.

Mr. Attorney General, seconded by Mr. Gordon, moves that the amendments to the Bill entitled, "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada" be engrossed and read a third time this day, and that the fifth rule of this House be dispensed with for that purpose. Which was ordered.

Mr. Attorney General, from the Select Committee to whom was referred the Petition of Charles Fothergill, Esquire, reported that the Committee had agreed to a Resolution which he was directed to submit for the adoption of the House. Ordered that the report be received.

The Resolution was then read as follows:

Resolved, That the Sum of Eighty Pounds provided by an Act of this Province passed in the forty-fourth year of His late Majesty's Reign, to pay for the annual printing of the Laws of the Province is inadequate under the present circumstances, and that in lieu thereof authority be given by law to allow such charges for the said service as may be audited by the Board of Audit of Public Accounts of this Province.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Resolution of the Select Committee to whom was referred the Petition of Charles Fothergill, Esquire, be concurred in.

In amendment, Mr. Jones of Leeds, seconded by Dr. Baldwin, moves that after the word "moves," the whole of the original motion be expunged, and the following inserted:

"That the Resolution reported by the Select Committee to whom was referred the Petition of Charles Fothergill be not concurred in, and that the said Committee be ordered to reconsider the same." Which was lost.

On the original question the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hagerman, Hamilton (Lincoln), Nichol, Burwell, Wilmot, Ruttan, Robinson, Jones (Grenville), Morris, Attorney General, Bostwick.

Nays: Messrs. Jones (Leeds), Randal, Baldwin, Peterson, Clark, Walsh, Baby, Horner.

The question was carried in the affirmative by a majority of three and it was

Resolved, That the sum of Eighty Pounds provided by an Act of this Province passed in the forty-fourth year of His late Majesty's Reign, to pay for the annual printing of the Laws of this Province, is inadequate under the present circumstances, and that in lieu thereof authority be given by Law to allow such charges for the said service as may be audited by the Board of Audit of Public Accounts in this Province.

Mr. Burwell, from the Committee to draft a Bill in pursuance of the Resolutions of the Committee of Ways and Means reported a Draft which was received and read the first time.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Debenture Bill be now read a second time, and that the fifth Rule of this House be

dispensed with so far as respects the said Bill. Which was carried and the Debenture Bill was read the second time.

Agreeably to the order of the day, the Supply Bill was read the third time.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Supply Bill do now pass and that the title be, "An Act for granting to His Majesty a sum of money in aid of the Funds for Defraying the expenses of the Administration of Justice and the support of the Civil Government of this Province." Which was carried and the Bill signed.

Agreeably to the order of the day, the amendments to the Bill entitled, "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada," were read the third time, passed and signed by the Speaker as follows:

In the Title, Line 1. After "Act," expunge the remainder of the Title, and insert, "to repeal part of an Act passed in the last Session of Parliament entitled, 'An Act vesting in the hands of certain Commissioners therein named all the Stock, Debts, Bonds and Property of the pretended Bank of Upper Canada, lately established at Kingston, for the benefit of the creditors of that Institution,' and to make further provision for settling the affairs of the said pretended Bank."

Press. 1, Line 1. After "to," expunge the remainder of the Preamble and insert, "repeal part of an Act passed in the last Session of Parliament entitled, "An Act vesting in the hands of certain Commissioners therein named, all the Stock, Debts, Bonds, and property of the pretended Bank of Upper Canada, lately established at Kingston, for the benefit of the creditors of that institution,' and to make further provision for settling the affairs of the said pretended Bank."

Press. 1, Line 10. After "that," insert the following words, "so much of the last clause of the said recited Act, as restrains the persons therein named from selling, conveying, or transferring their personal estate, be, and the same is hereby repealed."

"And be it further enacted by the authority aforesaid, that."

Press. 1, Line 17. After "thereof" expunge the remainder of the clause to the Proviso.

Mr. Jones of Grenville, seconded by Mr. Robinson, moves that Messrs. Burwell and Clark be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act for granting to His Majesty a sum of money in aid of the Funds for defraying the expenses of the Administration of Justice and support of the Civil Government of this Province"—and the Bill sent down from the Honorable the Legislative Council entitled "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada," which this House has passed with some amendments, and request their concurrence thereto. Which was ordered.

Mr. Attorney General, from the Committee to confer with the Committee of the Honorable the Legislative Council, on the subject matter of the Bill entitled "An Act to repeal an Act passed in the forty-first year of His late Majesty, His Heirs and Successors, to and for the uses of this Province the like Duties on Goods and Merchandize brought into this Province from the United States of America, as are now paid on Goods and Merchandize imported from Great Britain and other places," and also an Act passed in the forty-third year of His late Majesty's Reign, entitled "An Act to explain and amend an Act passed in the forty-first year of His Majesty's Reign" entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province the like Duties on Goods and Merchandize brought into this Province from the United States of America, as are now paid on goods and merchandize imported from Great Britain and other places,

and to provide more effectually for the collection and payment of duties on goods and merchandize coming from the United States of America into this Province," and also to establish a fund for the erection and repairing of Light Houses, and to make more effectual provision for the due collection of duties on goods imported into this Province, reported as follows:

The Committee of this House appointed to confer with the Committee of the Honorable the Legislative Council on the Bill entitled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's Reign, entitled An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places," and also an Act passed in the forty-third year of His late Majesty's Reign, entitled "An Act to explain and amend an Act passed in the forty-first year of His Majesty's Reign, entitled An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandise brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places," and to provide more effectually for the collection and payment of duties on goods and merchandize coming from the United States of America into this Province, and also to establish a fund for the erection and repairing of Light Houses, "And to make more effectual provision for the due collection of duties on goods imported into this Province"—met the said Committee in the Joint Committee Room, and were informed by them that it appeared to the Legislative Council that it was expedient to make several amendments in the said Bill, and they proposed the appointment of a free Conference for the purpose of discussing the said amendments which your Committee agreed to recommend to the adoption of the House of Assembly.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that Messrs. Burwell and Clark be a Committee to acquaint the Honorable the Legislative Council that this House has agreed to the recommendation of the Committee for a free Conference on the Bill entitled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's Reign, entitled 'An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places,' and also an Act passed in the forty-third year of his late Majesty's Reign, entitled 'An Act to explain and amend an Act passed in the forty-first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places," and to provide more effectually for the collection and payment of duties on goods and merchandize coming from the United States of America into this Province, and also to establish a fund for the erection and repairing of Light Houses,' and to make more effectual provision for the due collection of duties on goods imported into this Province." On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Hagerman, Gordon, Hamilton (Lincoln), Nichol, Burwell, Peterson, Wilmot, Clark, Randal, Attorney General, Jones (Grenville), Robinson, Chisholm, Kerr, Crooks, McMartin, Bostwick.

Nays: Messrs. Jones (Leeds), Baldwin, Baby, Horner.

The question was carried in the affirmative by a majority of thirteen and ordered accordingly.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that a Bill be drawn up in conformity to the Resolution of the House upon the Petition of Charles Fothergill, Esquire, and that Messrs. Kerr and Gordon be a Committee to prepare the same. Which was ordered.

Mr. Baldwin gives notice that he will, on Monday next, move that it be Resolved, that an humble address be presented to His Excellency the Lieutenant Governor, informing His Excellency that this House is under the necessity of reluctantly requesting he will please to forbear after the present year to order a second Circuit, as the state of the finances of the Province and the claims thereon render it imprudent to incur a longer continuance of the necessary expense attending such second Circuit. And further that for the current year he will order such second Circuit into those districts only, where, upon a report of the Sheriff, it may appear to His Excellency necessary to deliver the gaol thereof.

Mr. Gordon, from the Committee appointed to draft a Bill in conformity to the Resolution of the House on the Petition of Charles Fothergill, Esquire, reported a draft, which was received and read the first time.

Mr. Crooks gives notice that he will, on Monday next, move for leave to bring in a Bill to repeal an Ordinance made in the late Province of Quebec, in the twenty-eighth year of His late Majesty's Reign, Chapter third, entitled, "An Ordinance for promoting the Inland Navigation," and for other purposes.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Bill to provide for printing the Statutes be read a second time on Monday next. Which was ordered.

Mr. Attorney General, seconded by Mr. Morris, moves that the Debenture Bill be now referred to a Committee of the whole House. Which was carried and Mr. Jones of Grenville was called to the Chair of the Committee.

The House resumed. Mr. Jones reported the Bill without amendment. Ordered that the report be received.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the Debenture Bill be engrossed and read a third time on Monday. Which was ordered.

Agreeably to the order of the day, the House went into Committee on the Highway and Road Bill. Mr. Gordon in the Chair.

The House resumed. Mr. Gordon reported the Bill amended. Ordered that the report be received.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Road Bill be engrossed and read a third time on Monday next. Which was ordered.

Agreeably to the order of the day the Religious Purpose Bill was read the second time.

Mr. Wilmot, seconded by Mr. Clark, moves that the House do resolve itself into a Committee of the whole on the Bill for Religious and Charitable purposes. Which was carried and Mr. Hagerman was called to the Chair of the Committee.

The House resumed. Mr. Hagerman reported the Bill as amended. Ordered that the Report be received.

Mr. Wilmot, seconded by Mr. Randal, moves that the Bill for Religious and Charitable purposes be engrossed and read a third time on Monday next. Which was ordered.

Mr. Wilmot gives notice that he will move on Monday next, that a Select Committee be appointed to examine and report upon the contingent Accounts of this House for the present Session.

The House then adjourned till ten o'clock a.m. on Monday next.

Monday, 12th January, 1824.

The House met. Prayers were read. The minutes of Saturday were read.

Mr. Jones of Grenville, seconded by Mr. Casey, moves that he have leave of absence after Wednesday next. Which was granted.

Mr. Morris, seconded by Mr. Burwell, moves that he have leave of absence after Thursday next. Which was granted.

Mr. Burwell, seconded by Mr. Jones of Leeds, moves that he have leave to bring up the Petition of sundry Inhabitants of the County of Middlesex. Which was granted, and the Petition brought up.

Mr. McDonell, seconded by Mr. Hagerman, moves that a Message be sent to the Honorable the Legislative Council, requesting a Conference with that Honorable House on matters connected with the state of the Library, and that the fifth rule be dispensed with for that purpose. Which was ordered.

Mr. McDonell, seconded by Mr. Hagerman, moves that Messrs. Willson of Wentworth and Walsh be a Committee to carry up to the Honorable the Legislative Council the Message on the subject of the Library. Which was ordered.

Mr. Ruttan, seconded by Mr. Chisholm, moves that he have leave of absence after Thursday next. Which was granted.

Agreeably to the order of the day, the Religious Purpose Bill was read the third time.

Mr. Wilmot, seconded by Mr. Baldwin, moves that the Bill do now pass, and that it be entitled "An Act to authorize James Miles to convey to Trustees a Lot of Land therein mentioned." Which was carried.

Agreeably to the order of the day, the Highway and Road Bill was read the third time.

Mr. Attorney General, seconded by Mr. Morris, moves that the Bill do now pass, and that it be entitled, "An Act to amend and make perpetual an Act passed in the fifty-ninth year of His late Majesty's reign, entitled, 'An Act to repeal part of and amend the Laws now in force for laying out, amending, and keeping in repair the Public Highways and Roads in this Province,' and also to amend an Act passed in the fiftieth year of His late Majesty's reign, entitled, 'An Act to provide for the laying out, amending, and keeping in repair the Public Highways and Roads in this Province,' and to repeal the Laws now in force for that purpose." On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (of Leeds), Willson (of Wentworth), Horner, Hamilton (of Wentworth), Wilmot, Randal, Pattie, Clark, Ruttan, Chisholm, Kerr, Casey, Bostwick, Jones (of Leeds), Hagerman, Morris, Attorney General, McLean (of Stormont), Gordon.

Nays: Messrs. Nichol, Walsh, Baldwin, McDonell.

The question was carried in the affirmative by a majority of fifteen and the Bill was signed.

Agreeably to the order of the day, the House went into Committee on Ways and Means. Mr. Kerr in the Chair. The House resumed.

Mr. Kerr reported that the Committee had agreed to a Resolution which he was directed to submit for the adoption of the House. Ordered that the Report be received, and it was

Resolved, That as direct Taxation has been declared to be impracticable, and that as experience has shown that this Province cannot by any Legislative provision insure the equal collection of duties from Customs—the only resource to which

this House can have recourse to provide for the Interest on any Loan that may be raised for indemnifying the sufferers by the late war with the United States of America is to asquiesce in the Parliament of Lower Canada's imposing new Duties for that purpose.

Mr. Nichol, seconded by Mr. Crooks, moves that it be Resolved, That this House will assent to any Law which shall or may be enacted by the Parliament of Lower Canada, for imposing new Duties on imports at Quebec to meet the purposes of the preceding resolutions. Which was carried.

Mr. Nichol, seconded by Mr. Jones of Grenville, moves that Duties imposed on the following articles would be most acceptable to this Province and least felt by the consumer:—On wines, —— per gallon; on refined sugar, —— per pound; on Muscovado sugar, —— per pound; on merchandise, subject to ad valorem duty. Which was carried.

Mr. Nichol, seconded by Mr. Crooks, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the Claims of the Sufferers by the late War in Upper Canada, and that the Fifth Rule be dispensed with for that purpose. Which was carried, and Mr. Clark was called to the Chair of the Committee. The House resumed.

Mr. Clark reported that the Committee had agreed to several resolutions, which he was directed to submit for the adoption of the House.

On the question for receiving the Report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Nichol, Gordon, Burwell, Willson (of Wentworth), Wilmot, Hamilton (of Wentworth), Pattie, Randal, Horner, Clark, Baby, Ruttan, Hamilton (of Lincoln), Kerr, Chisholm, McDonell, Robinson, Hagerman, Crooks, Attorney General, Bostwick.

Nays: Messrs. Willson (of Prince Edward), Baldwin, Casey, Jones (of Leeds).

The question was carried in the affirmative by a majority of seven, the Report was received and the Resolutions were severally put and carried as follows:

Resolved, That from the extensive and exposed Frontier of Upper Canada, the facilities thereby afforded to the operations of invading armies, and the incursions of predatory bands, from the power and resources directed against the Province, and with which its Inhabitants in the first instance had almost unsupported to contend; they suffered severe privations and calamities, and sustained great losses by the pillage of their property and devastation of their estates, from which misfortunes their fellow subjects in Lower Canada (being more fortunately situated) were, in a great degree, exempt.

Resolved, That from the Seat of War having been principally in Upper Canada and three districts thereof, alternately in possession of His Majesty's Forces and those of the United States, this Province unavoidably suffered much more extensively from the ravages and devastations incident to a state of actual warfare than Lower Canada.

Resolved, That from the causes before mentioned great individual sufferings have been sustained, and many of the inhabitants, once affluent, have been reduced to indigence, and deprived of the means from which in happier times they had anticipated a suitable provision for their families.

Resolved, That the unfortunate situation of this class of His Majesty's Subjects has engaged the sympathy of His Most Gracious Majesty, His Majesty's Lieutenant Governor of this Province having by a Message at the last Session acquainted the House of Assembly that His Majesty had acceded to a request preferred by Mr.

Galt, the Agent for the sufferers, that a Loan should be raised of £100,000, of which His Majesty's Government would guarantee half the interest, £2,500 per annum, the Province providing for the remainder, which loan should be applied in satisfaction of such claims of sufferers by the invasion as might be established before a new Commission.

Resolved, That the Legislative Council and House of Assembly at their last Session concurred in the passing of a Bill in compliance with His Majesty's recommendation charging the said sum of £2,500 sterling per annum on the Revenues of the Province; which Bill, from an apprehension of delay or insufficiency in the receipts into the Provincial Treasury, was reserved for the signification of His Majesty's pleasure thereon, and has not been returned to this Province with the Royal Assent.

Resolved, That His Majesty with the most benevolent consideration for his unfortunate subjects, the sufferers in Upper Canada, has directed the sum of £57,000 Sterling (equal to about one-fourth of the losses admitted to have been sustained) to be distributed among them.

Resolved, That a Message has been received during the present Session intimating that if the Province would provide by new Taxes, to be specially imposed for that purpose, and in no degree hazarding the appropriations of the existing Revenue, for the payment of a proportion of that part of the Civil Establishment which is now defrayed by the Annual Grant of the Imperial Parliament, a further payment might be expected, by the sufferers bearing a proportion to the diminution which might be effected on the said grant.

Resolved, That from the embarrassments existing to prevent the regular receipt of the Revenue, the impracticability of raising Funds by direct Taxaton, the obstacles opposed to the equal collection of Duties on Customs, or Merchandise imported from Lower Canada and the United States of America, and other causes, we have found it impossible to comply with this proposition; but, to show our desire of relieving the sufferers, we have concurred in the propriety of providing by new duties to be collected at the Port of Quebec for the interest on the sum of £50,000 sterling to be loaned for their relief, provided it shall be concurred in by the Legislature of Lower Canada.

Resolved, That Lower Canada, though a separate colony, was distinctly identified with Upper Canada in the issue of the late contest with the United States of America, and was in a great measure preserved from the dangers and devastations of war by the successful resistance made to the enemy in the Province of Upper Canada at so ruinous an expense to the fortunes of many of its inhabitants; and that an appeal may properly be made to the justice and sympathy of Lower Canada, to participate in the payment of the indemnity to which the sufferers have so direct a claim.

Mr. Hagerman, from the Committee to wait on His Excellency the Lieutenant Governor with the Address relating to the Supplementary Report of the Canal Commissioners, reported delivering the same and that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly,—I shall take an early opportunity of transmitting to His Majesty's Government a Copy of the Supplementary Report of the Commissioners of Internal Navigation, and of the Plans and Estimates connected therewith, with such observations as may occur to me thereon.

Mr. Gordon, seconded by Mr. Peterson, moves that the following Resolution which has been adopted by the House be rescinded: "That Duties imposed on the

following articles would be most acceptable to this Province, and least felt by the Consumer: On wines, per gallon; on refined sugar, per pound; on Muscovado sugar, per pound; on merchandise, subject to ad valorem duty. Which was lost.

Mr. Boulton, Master-in-Chancery, brought down from the Honorable the Legislative Council the Bill entitled, "An Act to enable the Justices of the Peace of the District of Johnstown to erect a new Gaol and Court House or repair the old one, and to erect new Bridges over Yonge and Irish Creek," which they had passed without amendment, and two messages, and having withdrawn the Speaker read the Messages as follows:

Mr. Speaker,—The Honorable the Legislative Council have agreed to a Conference with the Commons House of Assembly on matters concerning the Library, and have appointed a Committee of two members, who will be ready to meet the Committee of the House of Assembly in the Joint Committee Room at 11 o'clock a.m. to-morrow.

WM. DUMMER POWELL, Speaker.

Legislative Council Chamber, 12th January, 1824.

Mr. Speaker,—The Honorable the Legislative Council request a free Conference on the subject matter of the Bill sent up for the concurrence of this House, entitled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's reign, entitled, 'An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like Duties on Goods and Merchandise brought into this Province from the United States of America as are now paid on Goods and Merchandise imported from Great Britain and other places,' and also an Act passed in the forty-third year of His late Majesty's reign, entitled, 'An Act to explain and amend an Act passed in the forty-first year of His Majesty's reign, entitled, An Act for granting to His Majesty, His Heirs, and Successors, to and for the uses of this Province, the like duties on Goods and Merchandise brought into this Province from the United States of America as are now paid on goods and Merchandise imported from Great Britain and other places,'" and to provide more effectually for the collection and payment of Duties on Goods and Merchandise coming from the United States of America into this Province, and also to establish a Fund for the erection and repairing of Light Houses, and to make more effectual provision for the due Collection of Duties on Goods imported into this Province.

The Legislative Council have appointed a Committee of two members who will be ready to meet the Committee of the Commons House of Assembly at four o'clock p.m. this day in the Joint Committee Room.

WM. DUMMER POWELL, Speaker.

Legislative Council Chamber, 12th January, 1824.

Mr. McDonell, seconded by Mr. Crooks, moves that Messrs. Hagerman, Gordon and Wilmot be a Committee to confer with a Committee of the Honorable the Legislative Council on matters connected with the Library. Which was ordered.

Mr. Robinson, seconded by Mr. Hamilton of ————, moves, That Messrs. Attorney General, Hagerman, Gordon and Morris be a Committee to confer with the Committee appointed by The Honorable the Legislative Council upon the Bill entitled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's reign, entitled, 'An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like Duties on Goods and

Merchandise brought into this Province from the United States af America as are now paid on Goods and Merchandise imported from Great Britain and other places,' and also an Act passed in the forty-third year of His late Majesty's reign, entitled, 'An Act to explain and amend an Act passed in the forty-first year of His Majesty's reign, entitled, "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province the like duties on Goods and Merchandise brought into this Province from the United States of America as are now paid on Goods and Merchandise imported from Great Britain and other places," and to provide more effectually for the collection and payment of Duties on Goods and Merchandise coming from the United States of America into this Province; and also to establish a fund for the erection and repairing of lighthouses and to make more effectual provision for the due collection of " duties on Goods imported into this Province." Which was ordered.

Mr Nichol, seconded by Mr. Jones of ————, moves, That Copies of the several Resolutions of this House of this day, on the subject of Ways and Means and the Claims of the Sufferers by the late war, be sent to the Honorable the Legislative Council, and that they be requested to concur therein, and that Messrs. Burwell and Crooks do carry up the same. Which was ordered.

Mr. Robinson, seconded by Mr. Hamilton of ————, moves, That Messieurs Ruttan and Burwell be a Committee to acquaint the Honorable the Legislative Council that this House has appointed a Committee to meet the Committee of the Honorable the Legislative Council on the subject of the Bill entitled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's reign, entitled, An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like Duties on Goods and Merchandise brought into this Province from the United States of America as are now paid on Goods and Merchandise imported from Great Britain and other places,' and also an Act passed in the forty-third year of His late Majesty's reign, entitled, "An Act to explain and amend an Act passed in the forty-first year of His Majesty's reign, entitled, 'An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like Duties on Goods and Merchandise brought into this Province from the United States of America as are now paid on Goods and Merchandise imported from Great Britain and other places,' and to provide more effectually for the collection and payment of Duties on Goods and Merchandise coming from the United States of America into this Province, and also to establish a fund for the Erection and Repairing of Lighthouses," and to make more effectual provision for the due collection of " Duties on Goods imported into this Province." Which was ordered.

The House then adjourned till five o'clock. The House met pursuant to adjournment.

Agreeably to the order of the day, the House went into Committee of Supply. Mr. Casey in the Chair. The House resumed. Mr. Casey reported that the Committee had risen.

Agreeably to the order of the day, the Statute Printing Bill was read the second time.

Mr. Attorney General, seconded by Mr. McLean of Stormont, moves that the Statute Printing Bill be now referred to a Committee of the Whole House. Which was carried, and Mr. McLean of Stormont was called to the Chair of the Committee.

The House resumed. Mr. McLean reported the Bill without amendment. Ordered that the Report be received.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Statute Printing Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to notice, Mr. Wilmot, seconded by Mr. Gordon, moves that Messieurs Nichol, Jones (of Grenville), Jones (of Leeds), and Crooks be a Committee to investigate and report upon the Contingent Accounts of the House of Assembly for the present Session. Which was ordered.

Mr. Attorney General, from the Committee to whom was referred the Petitions of the Sheriff and Inhabitants of the District of Ottawa, reported as follows:-

The Special Committee to whom was referred the Petition of the Sheriff of the District of Ottawa have considered the same, and beg leave to report to the House that in their opinion the inconveniences complained of by the Sheriff result from the present State of the District, and must gradually disappear as it advances in wealth and population; that the emoluments of the Sheriff must necessarily in the mean time be like those of the other District Officers, inconsiderable, and he must patiently wait for a change of circumstances, or determine whether it is worth while to retain the office. The subject last mentioned in the Sheriff's Petition, namely, the charge he has been put to in executing certain Acts of his Duty, appears to Your Committee to be one on which he should exclusively address himself to the Executive Government.

JNO. B. ROBINSON, Chairman.

January 12th, 1824.

The Special Committee to whom was referred the Petition of certain Inhabitants of the District of Ottawa, praying the interference of the Legislature in appointing the Site for the Gaol and Court House to be erected in the said District, have considered the matters stated in the said Petition, and are of opinion that, as new Settlements are said to be extending rapidly in the District of Ottawa, and as it may be very important to the future interests of the District that the Gaol and Court House should be placed in such a situation as is likely hereafter to become most convenient to the Inhabitants at large, without reference to the particular portions exclusively, which happen to be at present settled, it is expedient to prevent the possibility of the evil which the Petitioners apprehend by delaying the appointment of the site until the next Session of the Legislature, when the Inhabitants of the other parts of the District may, as well as the present Petitioners, make known their opinions on the subject.

Your Committee have prepared a Bill for effecting this object, which, together with the Report, they humbly submit to the consideration of the House.

JNO. B. ROBINSON, Chairman.

January 12th, 1824.

Ordered that the Report be received, and the Bill was read the first time.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Ottawa Gaol and Court House Bill be read a second time to-morrow. Which was ordered.

Mr. Hagerman, from the Joint Committee of Conference on the subject matter of the Bill entitled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's reign, entitled, An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like Duties on Goods and Merchandise brought into this Province from the United States of America as

are now paid on Goods and Merchandise imported from Great Britain and other places," and also an Act passed in the forty-third year of his late Majesty's reign, entitled, An Act to explain and amend an Act passed in the forty-first year of His Majesty's reign, entitled, "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province the like Duties on Goods and Merchandise brought into this Province from the United States of America as are now paid on Goods and Merchandise imported from Great Britain and other places, and to provide more effectually for the collection and payment of Duties on Goods and Merchandise coming from the United States of America into this Province, and also to establish a fund for the Erection and Repairing of Lighthouses, and to make more effectual provision for the due collection of Duties on Goods imported into this Province," reported as follows:

Report of the Joint Committee of Conference on the subject of the Bill entitled, "An Act to repeal an Act passed in the forty-first year of his late Majesty's reign, entitled, 'An Act for granting to His Majesty, His Heirs, and Successors, to and for the uses of this Province the like Duties on Goods and Merchandise brought into this Province from the United States of America as are now paid on Goods and Merchandise imported from Great Britain and other places,' and also an Act passed in the forty-third year of His late Majesty's reign, entitled, 'An Act to explain and amend an Act passed in the forty-first year of His Majesty's reign, entitled, "An Act for granting to His Majesty, His Heirs, and Successors, to and for the uses of this Province, the like Duties on Goods and Merchandise brought into this Province from the United States of America as are now paid on Goods and Merchandise imported from Great Britain and other places," and to provide more effectually for the collection and payment of Duties on Goods and Merchandise coming from the United States of America into this Province, and also to establish a fund for the Erection and Repairing of Lighthouses, and to make more effectual provision for the due collection of Duties on Goods imported into this Province."

It appeared to the Joint Committee of Conference that it would be expedient to provide some remuneration to the Commissioners of Customs to be appointed under the proposed Act, and as it was not considered that such a provision could properly be made by way of amendment, the Committee of Conference on the part of the House of Assembly agreed to recommend to their House to pass a distinct Bill for effecting that object.

Mr. Morris, seconded by Mr. Bostwick, moves that the recommendation of the Joint Committee of Conference on the Bill entitled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's reign, entitled, 'An Act for granting to His Majesty, His Heirs, and Successors, to and for the uses of this Province, the like Duties on Goods and Merchandise brought into this Province from the United States of America as are now paid on Goods and Merchandise imported from Great Britain and other places,' and also an Act passed in the forty-third year of His late Majesty's reign, entitled, 'An Act to explain and amend an Act passed in the forty-first year of His Majesty's reign, entitled, "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like Duties on Goods and Merchandise brought into this Province from the United States of America as are now paid on Goods and Merchandise imported from Great Britain and other places," and to provide more effectually for the collection and payment of Duties on Goods and Merchandise coming from the United States of America into this Province, and also to establish

a fund for the Erection and Repairing of Lighthouses,' and to make more effectual provision for the due collection of Duties on Goods imported into this Province," be concurred in. Which was carried.

The House then adjourned till ten o'clock to-morrow.

Tuesday, 13th January, 1824.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Debenture Bill was read the third time.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the Debenture Bill do now pass, and that the title be, "An Act to authorize the Governor, Lieutenant Governor or person administering the Government of this Province, to treat with the holder of any Government Debenture heretofore issued for postponing the period of payment of the same, and to authorize the loan of a further sum upon the security therein mentioned, to be applied towards the service of the present year." Which was carried and the Bill signed.

The Attorney General, seconded by Mr. Hagerman, moves that Messrs. McDonell and Crooks be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to treat with the holder of any Government Debenture heretofore issued for postponing the period of payment of the same, and to authorize the loan of a further sum upon the security therein mentioned, to be applied towards the service of the present year," and to request their concurrence thereto.

Agreeably to the order of the day, the Statute Printing Bill was read the third time.

Mr. Crooks, seconded by Mr. Chisholm, moves that the Bill providing for printing the Laws of this Province be recommitted to a Committee of the whole House. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Jones (Leeds), Baldwin, Clark, Randal, Wilmot, Horner, Walsh, Willson (Prince Edward), Chisholm, Crooks, Morris.

Nays: Messrs. Nichol, Pattie, Peterson, Ruttan, McDonell, Jones (Grenville), McLean (Stormont), Hagerman, Robinson, Attorney General, Bostwick.

The question was carried in the affirmative by the casting vote of the Speaker and Mr. McLean of Stormont was called to the Chair of the Committee.

The House resumed. Mr. McLean reported progress and asked leave to sit again to-day. Ordered that the report be received and leave was granted accordingly.

Mr. McDonell, from the Committee of Conference on the state of the Library, reported as follows:

The Joint Committee of Conference on the subject of the Library having met agreed to recommend to their respective Houses, that the Members of both Branches of the Legislature should be requested to return the Books in their possession into the Library by Thursday next, on which day the Committee will re-assemble for the purpose of taking an accurate account of the state of the same.

Joint Committee Room,
13th January, 1824.

The House went again into Committee on the Statute Printing Bill. Mr. McLean of Stormont in the Chair.

The House resumed. Mr. McLean reported the Bill amended. Ordered that the report be received.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the Statute Printing Bill be engrossed and read a third time this day, and that the fifth Rule of this House be dispensed with, as it respects the said Bill. Which was ordered.

Mr. Jones of Grenville, seconded by Mr. Hamilton of Lincoln, moves that Messrs. Attorney General and McLean of Stormont be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to amend and make perpetual an Act passed in the fifty-ninth year of His late Majesty's Reign, entitled 'An Act to repeal part of and amend the Laws now in force for laying out, amending and keeping in repair the Public Highways and Roads in this Province,' and also to amend an Act passed in the fiftieth year of His late Majesty's Reign, entitled 'An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the Laws now in force for that purpose,'" and request their concurrence thereto. Which was ordered.

Mr. Wilmot, seconded by Mr. Jones of Grenville, moves that Messrs. Crooks and Morris be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to authorize James Miles to convey to Trustees a Lot of Land for the purposes therein mentioned," and request the concurrence of that Honorable Body thereto. Which was ordered.

Mr. Morris, seconded by Mr. Ruttan, moves that Messrs. Jones of Grenville and Hagerman be a Committee to draft a Bill in pursuance of the recommendation of the Joint Committee of Conference on the Bill entitled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's Reign, entitled 'An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province the like duties on goods and merchandize brought into this Province from the United States of America, as are now paid on goods and merchandize imported from Great Britain and other places,' and also an Act passed in the forty-third year of His late Majesty's Reign, entitled 'An Act to explain and amend an Act passed in the forty-first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places," and to provide more effectually for the collection and payment of duties in goods and merchandize coming from the United States of America into this Province, and also to establish a fund for the erection and repairing of Light Houses,' and to make more effectual provision for the due collection of duties on goods imported into this Province." Which was ordered.

Agreeably to notice, Mr. Baldwin, seconded by Mr. Wilson of Prince Edward, moves that it be Resolved, that an humble address be presented to His Excellency the Lieutenant Governor informing His Excellency that this House is under the necessity of reluctantly requesting he will please to forbear after the present year to order a second Circuit as the state of the finances of the Province and the claims thereon render it imprudent to incur a longer continuance of the necessary expense attending such second Circuit; and further that for the current year he will order such second Circuit into those Districts only where upon a report of the Sheriff it may appear to His Excellency necessary to deliver the Gaol thereof. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Willson (Prince Edward), Nichol, Clark, Pattie, Willson (Went-

worth), Baldwin, Wilmot, Walsh, Hamilton (Wentworth), Randal, Baby, Horner, Burwell Chisholm, Kerr, Morris.

Nays: Messrs. Jones (Leeds), McLean (Stormont), Ruttan, McDonell, Crooks, Casey, Bostwick, Hamilton (Lincoln).

The question was carried in the affirmative by a majority of eight, and it was resolved accordingly.

Mr. Boulton, master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled "An Act for granting to His Majesty a sum of money in aid of the funds for defraying the expenses of the Administration of Justice and support of the Civil Government of this Province"; the Bill entitled, "An Act granting to His Majesty a sum of money to enable His Majesty to compensate the services of the Arbitrator appointed under the Act of the Imperial Parliament passed in the third year of His Majesty's Reign, entitled 'An Act to regulate the Trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces,' and also to compensate the Secretary who accompanied the said Arbitrator during the several negotiations in Lower Canada"; and the Bill entitled, "An Act to sanction and make valid an Agreement made at Montreal on the fifth of August, One thousand eight hundred and twenty-three, by the Arbitrators appointed for Upper and Lower Canada, under the authority of an Act of the Parliament of Great Britain passed in the third year of His Majesty's Reign, entitled 'An Act to regulate the trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces,' for obtaining a Survey of the River Saint Lawrence, and for the appointment of Commissioners for that purpose," which they had passed without amendment, and withdrew.

Doctor Baldwin, seconded by Mr. Walsh, moves that Messrs. Willson of Wentworth and Burwell be a Committee to draft an address pursuant to the Resolution. Which was ordered.

Agreeably to the order of the day, the Statute Printing Bill was read the third time.

Mr. Attorney General, seconded by Mr. Hamilton of Lincoln, moves that the Bill do now pass and that the title be, "An Act to repeal part of an Act passed in the forty-fourth year of His late Majesty's Reign entitled, 'An Act to promulgate the Provincial Statutes, and to repeal so much of an Act passed in the forty-first year of the Reign of His present Majesty as relates to printing of Journals,' and to provide more adequate remuneration for printing annually the Statutes of this Province." Which was carried and the Bill signed.

Mr. Wilmot, seconded by Mr. Pattie, moves that Messrs. Crooks and Morris be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to repeal part of an Act passed in the forty-fourth year of His late Majesty's Reign, entitled 'An Act to promulgate the Provincial Statutes and also to repeal so much of an Act passed in the forty-first year of the reign of His present Majesty as relates to printing the Journals,' and to provide more adequate remuneration for printing annually the Statutes of this Province," and request the concurrence of that Honorable Body thereto. Which was ordered.

Mr. Attorney General, from the Select Committee to whom was referred the Banking Bill, reported that the Committee had agreed to a Bill, which he was directed to submit for the adoption of the House. Ordered that the report be received and the Bill was read the first time.

Mr. Attorney General, seconded by Mr. Hamilton of Lincoln, moves that the Bank Regulating Bill be read a second time this day, and that the fifth Rule of this

House be dispensed with, so far as respects the said Bill. Which was carried and the Bill was read the second time.

Mr. Attorney General, seconded by Mr. Hamilton of Lincoln, moves that the House do now resolve itself into a Committee of the whole on the Banking Regulation Bill. Which was carried and Mr. Pattie was called to the Chair of the Committee.

The House resumed. Mr. Pattie reported the Bill as amended. Ordered that the report be received.

Mr. Attorney General, seconded by Mr. Hagerman, moves that the Banking Regulation Bill be engrossed and read a third time this day. Which was ordered.

Mr. Jones of Grenville, from the Committee to draft a Bill pursuant to the recommendation of the Joint Committee of Conference on the Bill entitled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's Reign, entitled 'An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places,' and also an Act passed in the forty-third year of His late Majesty's Reign, entitled 'An Act to explain and amend an Act passed in the forty-first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places," and to provide more effectually for the collection and payment of duties on goods and merchandise coming from the United States of America into this Province, and also to establish a fund for the erection and repairing of Light Houses,' and to make more effectual provision for the due collection of duties on goods imported into this Province," reported a draft, which was received and read the first time.

Mr. Morris, seconded by Mr. Jones of Grenville, moves that the Commissioner of Customs Remuneration Bill be read a second time this day, and that the fifth Rule of the House be dispensed with so far as relates to the same. Which was carried and the Commissioners of Customs Bill was read the second time.

Mr. Burwell, from the Committee appointed to draft an address to His Excellency the Lieutenant Governor on the subject of a Second Circuit reported a draft, which was received and read the first time.

Doctor Baldwin, seconded by Mr. Hamilton of Wentworth, moves that the Address to His Excellency the Lieutenant Governor be read a second time this day, and that the fifth Rule of this House be dispensed with for that purpose. Which was carried and the address was read the second time.

Doctor Baldwin, seconded by Mr. Hamilton of Wentworth, moves that the Address to His Excellency be concurred in, and that it be engrossed and read a third time this day. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Pattie, Clark, Willson (Wentworth), Randal, Horner, Baldwin, Peterson, Burwell, Walsh, Chisholm, Kerr, Morris, Wilmot, Hamilton (Wentworth).

Nays: Messrs. Jones (Leeds), Casey, Robinson, Jones (Grenville), Crooks, Bostwick.

The question was carried in the affirmative by a majority of eight and ordered accordingly.

Mr. Morris, seconded by Mr. Kerr, moves that Messrs. Hagerman and Casey be a Committee to acquaint the Honorable the Legislative Council, that this House

have concurred in the recommendation of the Joint Committee of Conference on the Bill entitled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's Reign, entitled 'An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places,' and also an Act passed in the forty-third year of His late Majesty's Reign, entitled 'An Act to explain and amend an Act passed in the forty-first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places," and to provide more effectually for the collection and payment of duties on goods and merchandize coming from the United States of America into this Province, and also to establish a fund for the erection and repairing of Light Houses,' and to make more effectual provision for the due collection of duties on goods imported into this Province." Which was ordered.

Mr. Morris, seconded by Mr. Jones of Grenville, moves that the Commissioners of Customs Remuneration Bill be now referred to a Committee of the whole House. Which was carried and Mr. Pattie was called to the Chair of the Committee.

The House resumed. Mr. Pattie reported the Bill as amended. On the question for receiving the report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Chisholm, Jones (Leeds), Pattie, Jones (Grenville), Willson (Wentworth), Gordon, Hamilton (Wentworth), Randal, Horner, Burwell, Peterson, Willson (Prince Edward), Hagerman, Robinson, McLean (Stormont), Casey, Crooks Morris, Wilmot, Kerr, Bostwick, Clark.

Nays: Messrs. Walsh, Ruttan.

The question was carried in the affirmative by a majority of twenty and the report was received accordingly.

Mr. Morris, seconded by Mr. Jones of Grenville, moves that the Commissioner of Customs Remuneration Bill be engrossed and read a third time to-morrow. Which was ordered.

Agreeably to the order of the day, the Banking Bill was read the third time.

Mr. Baldwin, seconded by Mr. Willson of Prince Edward, moves that the Bill do now pass and that it be entitled, "An Act to prohibit Banks from carrying on business in this Province, that do not redeem their notes in specie within the same." Which was carried and the Bill signed.

Mr. Baldwin, seconded by Mr. Horner, moves that Messrs. Crooks and Morris be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to prohibit Banks from carrying on business in this Province, that do not redeem their notes in specie within the same," and request their concurrence thereto. Which was ordered.

Agreeably to notice, Mr. Crooks, seconded by Mr. Chisholm, moves for leave to bring in a Bill to repeal an Ordinance of the late Province of Quebec, passed in the twenty-eighth year of His late Majesty's Reign, Chapter third, entitled, "An Ordinance to promote the Inland Navigation," and for other purposes. Which was granted and the Bill read.

Mr. Crooks, seconded by Mr. Chisholm, moves that the Bill to repeal the Ordinance of the late Province of Quebec entitled, "An Ordinance to promote the

Inland Navigation" and for other purposes, be read a second time on to-morrow. Which was ordered.

The House then adjourned till ten o'clock to-morrow.

Wednesday, 14th January, 1824.

The House met. Prayers were read. The minutes of yesterday were read.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor on the subject of a second Circuit was read the third time.

On the question for passing the address the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Pattie, Horner, Hamilton (Wentworth), Clark, Wilmot, Peterson, Walsh, Chisholm, Morris, Randal.

Nays: Messrs. Jones (Leeds), Gordon, McLean (Stormont), Jones (Grenville), Robinson, Crooks, Bostwick.

The question was carried in the affirmative by a majority of three, and the address was signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of The Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc. May it please your Excellency,—We his Majesty's Most Dutiful and Loyal Subjects the Commons House of Assembly of Upper Canada in Provincial Parliament assembled, beg leave to inform your Excellency, that this House is under the necessity of reluctantly requesting that your Excellency will be pleased to forbear after the present year, to order a second Circuit as the state of the finances of the Province and the claims thereon render it imprudent to incur a longer continuance of the necessary expenses attending such second Circuit. And further, that for the current year your Excellency will be pleased to order such second Circuit into those Districts only where upon a report of the Sheriff it may appear to your Excellency necessary to deliver the Gaols thereof.

Commons House of Assembly,

14th January, 1824. LEVIUS P. SHERWOOD, Speaker.

Mr. Jones of Leeds, seconded by Mr. Robinson, moves that Messrs. Baldwin and Randal be a Committee to wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive the address of this House upon the subject of a second Circuit, and to present the same. Which was ordered.

Agreeably to the order of the day, the Commissioners of Customs Bill was read the third time.

Mr. Morris, seconded by Mr. Chisholm, moves that the Bill do now pass and that it be entitled, "An Act to compensate the services of the Commissioners of Customs. Which was carried and the Bill signed.

Mr. Jones of Grenville, seconded by Mr. Robinson, moves that Messrs. Morris and Bostwick be a Committee to carry up to the Honorable the Legislative Council the Bill entitled "An Act to prohibit Banks from carrying on business in this Province that do not redeem their notes in specie within the same," and the Bill entitled, "An Act to compensate the services of the Commissioners of Customs," and to request their concurrence thereto. Which was ordered.

Agreeably to the order of the day, the second Petition of the Inhabitants of the County of Middlesex, praying that the Quarter Sessions and District Court,

for the London District may in future be held at the Village of Saint Thomas on the Talbot Road was read.

Agreeably to the order of the day, the Ottawa District Gaol and Court House Bill was read the second time.

Mr. Attorney General, seconded by Mr. Jones of Grenville, moves that the Ottawa Gaol and Court House Bill be now referred to a Committee of the whole House. Which was carried and Mr. Wilmot was called to the Chair of the Committee.

The House resumed the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled, "An Act to amend and make permanent a certain Act of the Parliament of this Province passed in the fifty-ninth year of the Reign of His late Majesty King George the third, entitled 'An Act to repeal the several Laws now in force relative to levying and collecting rates and assessments in this Province, and further to provide for the more equal and general assessment of lands and other ratable property throughout this Province, and to render more effectual the several laws of this Province imposing rates and assessments, by providing under certain restrictions for the levying such rates and assessments by the sale of a portion of the lands on which the same are charged,'" which they had passed without amendment, and withdrew.

The House went again into Committee on the Ottawa District Gaol and Court House Bill. Mr. Wilmot in the Chair.

The House resumed. Mr. Wilmot reported progress and asked leave to sit again this day three months. On the question for receiving the report the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Horner, Nichol, Pattie, Willson (Prince Edward), Hamilton (Wentworth), Clark, Peterson, Willson (Wentworth), Baldwin, Baby, Ruttan, Chisholm, Morris, Hamilton (Lincoln), Casey.

Nays: Messrs. Jones (Leeds), Randal, Burwell, Gordon, Jones (Grenville), Wilmot, Kerr, Robinson, McLean (Stormont), McDonell, Hagerman, Attorney General, Crooks, Bostwick.

The question was carried in the affirmative by a majority of one, and the report was received and leave granted accordingly.

Agreeably to the order of the day, the Ordinance Repeal Bill was read the second time.

Mr. Crooks, seconded by Mr. Chisholm, moves that this House do now resolve itself into a Committee of the whole to take into consideration the Bill repealing the Ordinance of the late Province of Quebec, regulating the Inland Navigation and for other purposes. Which was carried and Mr. Ruttan was called to the Chair of the Committee.

The House resumed. Mr. Ruttan reported progress and asked to sit again this day. Ordered that the report be received and leave was granted accordingly.

The House went again into Committee on the Ordinance Repeal Bill. Mr. Ruttan in the Chair.

The House resumed the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a message and having withdrawn the Speaker read the same as follows:

Mr. Speaker,—The Honorable the Legislative Council have concurred in the Resolutions sent up from the Commons House of Assembly on the thirteenth instant, and request a Conference with the Commons House of Assembly, to prepare

an Address to His Excellency the Lieutenant Governor founded upon the said Resolutions. The Legislative Council have appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at 11 o'clock a.m. to-morrow.

Legislative Council Chamber,

14th January, 1824. WM. DUMMER POWELL, Speaker.

Mr. Nichol, seconded by Mr. Willson of , moves that the request of the Honorable the Legislative Council be concurred in, and that Messrs. Attorney General, Hagerman and Crooks be appointed on a Committee for that purpose, also, that Messrs. Burwell and Clark be directed to acquaint that Honorable House that this House has acceded to their request. Which was ordered.

The House went again into Committee on the Ordinance Repeal Bill. Mr. Ruttan in the Chair.

The House resumed. Mr. Ruttan reported the Bill amended. Ordered that the report be received.

Mr. Crooks, seconded by Mr. Chisholm, moves that the Bill to repeal the Ordinance of the late Province of Quebec, passed in the twenty-eighth year of His late Majesty's Reign, Chapter third, be engrossed and read a third time on to-morrow. Which was ordered.

Mr. Crooks gives notice that he will, on to-morrow, move that this House do resolve itself into a Committee of the whole to take into consideration the navigation of the Waters of this Province.

Mr. Gordon, from the Committee of Conference on the Tobacco Trade of this Province, reported as follows:

The Committee appointed by the House of Assembly to confer with the Committee of the Honorable the Legislative Council, upon the subject of the Resolutions sent up from the House of Assembly, respecting the culture of tobacco in the Western Districts of this Province, met the said Committee and agreed to recommend to the adoption of the House of Assembly certain amendments to the said Resolutions which were concurred in by the Joint Committee.

The Joint Committee have also agreed to a draft of an address to His Majesty pursuant to the said Resolutions as amended.

Joint Committee Room, JAS. GORDON,

14th January, 1824. Chairman of the Committee of the House of Assembly.

The following Resolution as amended by the Joint Committee of Conference was then put and concurred in by the House of Assembly.

Resolved, That the Western Districts of Upper Canada, the highly favored in regard to climate and soil, are, from their remote situation and the consequent difficulty and expense of transporting their bread stuffs and other principal productions to market, subject to great disadvantages in comparison with the other portions of the Province, and that these disadvantages increasing greatly the inconvenience and loss resulting from the uncertainty of a profitable market for those staples have necessarily occasioned a depreciation in their value, and have checked the agricultural and commercial prosperity of those particular sections of the Province.

Mr. Nichol gives notice that he will, on to-morrow, move for leave to bring in a Bill for amending the Act providing for the erection of a Monument to memory of the late Major General Sir Isaac Brock, K.B.

The House then adjourned till ten o'clock to-morrow.

Thursday, 15th January, 1824.

The House met. Prayers were read. The Minutes of yesterday were read.

Agreeably to the order of the day, the Ordinance Repeal Bill was read the third time.

Mr. Crooks, seconded by Mr. Kerr, moves that the Bill do now pass and that it be entitled, "An Act to repeal an Ordinance of the late Province of Quebec made in the twenty-eighth year of His late Majesty's Reign, entitled 'An Ordinance for promoting the Inland Navigation.'" Which was carried and the Bill signed.

Mr. Crooks, seconded by Mr. McLean of Stormont, moves that Messrs. Kerr and Chisholm be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to repeal an Ordinance of the late Province of Quebec made in the twenty-eighth year of His late Majesty's Reign, entitled 'An Ordinance for promoting the Inland Navigation,'" and to request the concurrence of that Honorable House thereto. Which was ordered.

Mr. Attorney General, from the Joint Committee of Conference on the Tea Trade of Canada, reported as follows:

The Joint Committee appointed by the Honorable the Legislative Council and House of Assembly to consider and report upon the subject matter of certain Resolutions of the House of Assembly, in which the Honorable the Legislative Council have concurred, respecting the importation of Tea into Upper Canada, have, pursuant to the orders of both Houses, met and examined the matter to them referred, and have agreed to the following report:

That for some years preceding the year 1812, Tea was openly imported into Canada from the United States of America under the sanction of Colonial Acts, which imposed duties on such importation, and which although they were at variance with the Statutes of Great Britain which regulate the Tea Trade and the Planatation Trade in general, seem to have existed for some years without attracting the notice of the Mother Country.

In the 52 Geo. 3rd, the Act of the British Parliament was passed (Chap. 55) which expressly enacts that "no goods or commodities whatsoever, except goods or commodities of the growth, produce or manufacture of the Territories of the United States of America, shall be brought from the Territories of the said United States of America by Inland Navigation or Land Carriage into the Provinces of Lower or Upper Canada, under the penalty of the forfeiture of such goods, etc., etc." This express prohibition by a recent Act applying in terms to Canada necessarily put an end to any trade in Tea with the United States of America under color of Law, but the war with those States which immediately ensued prevented the Act from coming into actual operation till 1815, when peace was restored, and Commercial Intercourse resumed.

The effect of the 52 Geo. 3rd, Chap. 55, began then to be felt, its legal operation was to restrain the Tea trade of the Canadas to importation from Great Britain into the Port of Quebec in British or Colonial shipping, and if this could in practice have been accomplished, it would have justly secured to the East India Company the same advantage in Canada of the monoply enjoyed under their charter in regard to the Tea trade as they possess in others parts of the British Dominions; a monoply of which these Provinces would not have been entitled or disposed to complain. And it would have insured the collection in the Colonies of a very considerable revenue from an article of general consumption, which could well have borne the imposition.

But each succeeding year has shown more plainly how certain and inevitable it is that from peculiar circumstances in the situation of the Provinces such a regulation of trade cannot be enforced, and that the East India Company must be defeated in any expectation of advantage which they might have formed from the possession of the exclusive commerce contemplated, while the Provinces at the same time must equally be disappointed in their contemplation of any benefits which might better reconcile them to the restriction.

A trade to China having long been open to the Americans, they import from that country abundant supplies of tea, said to be of a quality inferior to that furnished to the East India Company, but sufficiently good for the purposes of a general market, and whatever may be the circumstances which enable them to do so, they import them at a rate much lower than the corresponding descriptions of the articles stand at in Great Britain, so much so that notwithstanding there is no duty charged in England on Tea exported to the British Colonies, the American merchant transports his Teas across the continent and sells them by retail on the Frontier opposite to Upper Canada at a price much lower than the wholesale merchant at Quebec can afford to sell the same articles for to the dealer, at the place of their importation.

This inequality of price holds out a temptation to smuggling which is found to be irresistible. The supplies illicitly introduced from the United States are each year superseding more and more the demand for importations at Quebec. During the last year it appears that not more than 917 chests of Tea have been legally imported into these Provinces, whose consumption is estimated at 10,000 by the Board of Trade in Quebec, in a statement on that subject, which is hereunto annexed.

There is indeed no question that if the present system be continued there must soon be an entire stop to the legal importation of Tea into Canada, for of a truth none of that which is so imported can be disposed of but at a loss.

The risk of smuggling even so bulky an article into a country of which no vigilance that can be exerted can guard the Frontier is held so light and adds so little to the cost that Tea so introduced is retailed throughout Upper Canada at a price as low as the first cost by wholesale at the sales made in London by the East India Company.

It is not for want of Penal Laws or Officers to enforce them that it is found impossible to prevent this abuse. The British Act alluded to has provided sufficient for the forfeiture of contraband goods, and Laws and Courts exist in the country which are in daily operation and which afford every facility of proceeding.

But it is proved too plainly, not only in this Province, but by the utter failure of every attempt to raise a Revenue by imposition of duties upon such articles as we may legally import from the United States of America, how impossible it is to surmount the difficulties presented by the slightest temptation to clandestine trade.

The Province of Upper Canada lying contiguous to the United States along the whole extent of its Southern boundary is separated from it by a chain of lakes and rivers many hundreds of miles in length, which are navigable for vessels of all descriptions, and are in various places filled with innumerable islands, which as well as the adjoining shores are in many parts barren and rocky and necessarily uninhabited, affording facilities to clandestine trade, not to be effectually counteracted under any circumstances, but which with a population thinly dispersed over an immense territory render almost nugatory the Laws by which it is attempted to prevent it.

Along a great portion of the Boundary the ice in winter affords a communication for carriages not confined to any line of road and even more difficult to guard than the navigation at other seasons.

These obstacles to the enforcing along such a frontier any regulations of commerce which there is a temptation to violate are insurmountable, and the effect of them upon the Tea trade in Upper Canada and perhaps almost equally in the Lower Province is that the people are now nearly and soon will be entirely supplied by illicit importations from a foreign country.

The consequences are that the East India Company derives no good whatever from a restriction intended for their benefit. The Canadian merchant who ventures to import by the legal channel finds no sale, and the consumption is supplied in a manner that yields no revenue to the Provincial Treasury, while from the general demand for this particular commodity a system of smuggling prevails throughout the country which extends itself at the same time to every other article of commerce, thereby ruining the revenue, injuring the fair trader, and corrupting the morals of the great mass of the people.

It is quite clear that any other footing on which this trade can be placed must be better for the Province than its actual state, and can deprive neither the East India Company nor the shipping interest of Great Britain of any existing good.

The remedies which have suggested themselves are: 1st, that the East India Company should be authorized to export direct from China an annual supply either to Quebec for the consumption of the Canadas, or to some mart which should be central with regard to all the British American Colonies; or 2nd, that the merchant of Canada should be allowed to import the necessary supply direct from China; or 3rd, that the intercourse which at present exists in fact should be legalized, and the Canadians be allowed to receive their Teas from the United States on payment of a duty so moderate as to leave no sufficient temptation to smuggling.

As far as any of these courses would be at variance with the restrictive system by which our fellow subjects of other countries are bound, it must be confessed that it is soliciting an indulgence, which on the ground of indulgence we cannot in reason expect. But when it is demonstrated that the revenues and trade of a foreign State only are benefited by the attempt to apply the general system to Canada, and that a change which might be advantageous to us, would not possibly injure any British or Colonial interest, there seems every reason from the liberal policy of the Mother Country, and the consideration of the great Commercial Company whose rights are involved, to hope for a favorable result.

With regard to the first alternative Your Committee have reason to believe that it has been submitted to the consideration of the Honorable East India Company through the representation of respectable merchants engaged in the trade of Lower Canada, but with what prospect of success they are not informed.

The question of its expediency involves two considerations:

1st, Whether the question of the supply required is sufficient to engage the attention of the Company, and

2nd, whether the Company could afford that supply on terms that would exclude the introduction of Tea from the United States, taking it for granted as it must be that nothing but being able to sell at equally low prices with the people of the United States would secure them the market.

Tea is consumed as generally it is believed among all classes of the people in Upper Canada as in any part of the British Dominions. No substitute is used for it to any considerable extent, and it is more properly to be regarded as a necessary of life than an article of luxury.

The population of Upper Canada is estimated at 160,000, the annual consumption of Tea is believed not to be less than 3,000 chests. In Lower Canada consequently, assuming the opinion of the Committee of Trade in Quebec to be correct, the consumption must be about 7,000. Both Provinces are increasing rapidly in numbers and in wealth, and there is no room to question that within a few years the demand for Tea will be so considerable as to make the mode of supply an object not unworthy of National attention.

Upon the other point there is more matter for consideration. Your Committee find it asserted upon the most authentic evidence in the printed Reports of Committees of the Lords and Commons upon this branch of the foreign trade of the United Kingdom, that the East India Company have unquestionably the preference in the Chinese market that they can procure better Teas than the American merchant, and at a rate at least as reasonable.

It is no contradiction of this assertion that the price of Teas in the United States of America should be so much below their cost on their importation at Quebec. The freight in American vessels is said to be considerably less expensive than in the regular Company's ships, and although the duty is not charged on Tea exported to this country, yet the landing and warehousing in England, the dock dues, and all the forms to be gone through before its second shipment must necessarily accumulate charges that, added to the voyage from England to Quebec, must place the cargo on terms very considerably more than that of the American importer.

But if the Company, purchasing their Teas on no better terms in China than the American merchant, should ship them direct to Quebec, on a chartered bottom suited to the voyage, there is good reason to suppose that they must come into the market upon more favorable terms than the importer at New York, at least under the regulations now existing there, for while Teas might be imported into Quebec free of duty, they would be subject at New York to a duty of 20 cents per pound, equal to 11d. sterling, upon the ordinary qualities, which there is no probability the Americans would draw back in order to encourage an illicit introduction of them into Canada, since any attempt of that kind, if it would be fair to contemplate it, would from the same natural disadvantages which facilitate smuggling in Canada, expose them to abuses under such a system, which would be most injurious to their own revenue.

Without all the information necessary to reason correctly on the subject, Your Committee will only add to their remarks on this head that the East India Company having the means of judging with perfect accuracy, must necessarily take into their view this inevitable consequence, that if they cannot supply the Canadas on terms as low as can be done by clandestine trade from the adjoining States, their endeavours though they will excite the gratitude of the Provinces will assuredly not remedy the present evil, and will produce loss and disappointment to themselves.

In regard to the second alternative, that the Canadian merchant should be allowed to import Teas direct from China:

Your Committee is of opinion that although the Capital of these Provinces is yet limited, and commercial enterprise in its infancy, yet the late liberal relaxations in regard to the Colonial trade having opened a wider and more

varied field, there is reason to anticipate that the Canadians may soon be in a condition if they are not now to avail themselves of the permission in question, if the liberality of the East India Company seconded by the indulgence of the Imperial Parliament should consent to extend it to them.

It may be added that in that event the trade in Tea might be more justly and readily made a source of revenue (if the Legislature should find it would bear a duty) than if the importations were made through the agency of the East India Company, as in the latter case we must feel that we could not with any propriety add to the hazard which the Company might suppose they incurred in their attempt to supersede the present pernicious mode of supply; and indeed Your Committee concludes that the first step in such an arrangement should be to repeal entirely the duty now existing on Teas imported into Quebec.

A consideration arises applicable to both these alternatives, namely, whether it might not be a prudent part of the system not to regard Teas from the United States as contraband, which cannot in fact exclude them, but leads to their being introduced free of any duty if there exists a temptation to introduce them at all but rather to admit them into Canada on payment of a duty sufficient to give to the Tea imported into Quebec an advantage in the market.

If, to those whose superior wisdom must govern any measure of this description, neither the one nor the other of those above suggested should appear expedient, if the East India Company should think it not worth their attention to supply Tea to the Canadas by direct exportation, or should deem the experiment unsafe, and if they should object to allow a direct importation by the Provinces from a reluctance to establish a precedent of an indulgence which they would be unwilling to extend, the last alternative which has been suggested is that we should be permitted by Law to do that which is now done and will be done contrary to Law, so long as matters remain upon their present footing, that is, that we should be suffered to obtain Tea from the United States upon payment of a duty so moderate as to afford no sufficient temptation to smuggling.

It is only on the assumption that the other alternative suggested would either not be conceded to us, or might be found not to answer in practice, that Your Committee would recommend an attempt to procure an arrangement that would leave us to be supplied with an article of such general consumption by a commerce which would even now augment considerably, and in time very largely, the revenues of a foreign State, but there can be no hesitation in avowing that as the least of two evils such a course would be in all respects preferable to the present mode of supply, since under the actual circumstances of the Tea trade that ill consequence exists in its full extent, without any compensating advantage. If, on the contrary, the importation of Tea from the United States were placed on a legal footing so that a trifling duty could be imposed upon it the present pernicious practice of smuggling would in a great measure cease, and a revenue would be raised by an exaction which would be little felt by the consumers and which would afford an aid to the Civil Service of the Province, which can not be too much desired.

Your Committee have annexed to this Report such documents as may serve to illustrate the different positions advanced, and they cannot but add an expression of their conviction that no subject of this nature involves considerations of more extensive interest to the general prosperity of the Province than that on which they have been directed to report.

They are, however, fully conscious that the monoply of the Tea trade is in the strictest sense the right of the Honorable East India Company, secured to

them by an Act of the Imperial Parliament, and that an interference with that right will not be attempted and ought not to be expected but with their consent. The prospect of obtaining the objects to be prayed for must therefore rest on the hope that the Honorable the East India Company will not refuse their attention to the interests of their fellow subjects or rather to the public interests of a Province however remotely situated; that they will distinguish between unreasonable expectation of indulgence and urgent representations compelled by necessity and that they will not suffer an evil to continue which they have it in their power to remedy, and which while it lasts is prejudicial to British interests in every sense, moral and political, and subservient only to the advantage of a rival power.

Geo. Crookshank, Chairman of the Committee of the Legislative Council. John Strachan, Geo. H. Markland.

Jno. B. Robinson, Chairman of the Committee of Assembly. Robt. Nichol, Arch'd. McLean, Ch's. A. Hagerman, Chas. Jones, Jas. Gordon.

Extract of a communication from the Montreal Committee of Trade, to James Stewart, Esquire, dated 8th March, 1823.

My principal object is to solicit your attention to the trade in Teas and East India Goods in Upper and Lower Canada, and to the irrestible temptation which existing circumstances hold forth to the illegal introduction of those articles from the United States.

It appears from the letters of Mr. Commissioner Robinson to the Executive of Upper Canada lately published that the evils of the contraband trade in Teas had been represented by that gentleman to the President of the Board of Trade in London, and in the course of the conversation which took place on the subject, Mr. Robinson described the hardship of the case, and the little injury which would arise to the East India Company by relinquishing its monoply as regards these Provinces.

It is notorious that Teas and East India goods are now supplied by contraband trade from the United States on very low terms, and if the contemplated relaxation were obtained and their introduction legalized, subjecting them to a moderate duty, the demoralizing practice of smuggling would be checked in the Provinces enabled, if required, to make ample compensation to the East India Company. Mr. Robinson seems of opinion that an application on this subject urged at such a period of the Session as would give time for explaining the circumstances of the case to the East India Company would be liberally entertained by Government, and it is therefore hoped that you will take the first opportunity of soliciting the attention of Ministers to this important subject.

Though you may be sufficiently aware of the nature and extent of the grievance, I am directed to transmit to you the enclosed copy of a communication to the Judges by certain members of the late Grand Jury for the information of the Provincial Government, which referring to the Geographical position and the periodical close of the navigation of the Canadas, alleges the impossibility of preventing by coercive measures the illegal introduction from the United States of such portable articles as Teas and Silks, which are thus sold in Canada, 50 per cent. under the cost and charges of similar articles imported from Great Britain. It is to be apprehended that the insular position of Great Britain, the practicability of her communications at all seasons by land and by water, and other circumstances favorable to the prevention of smuggling, may induce the Ministry to think that coercive measures alone would suppress the Canadian contraband trade. It might therefore be expedient on your part to

place before them the peculiarities of the position of both Provinces relating to the United States, while urging the propriety of lessening the temptation to smuggle by removing the unprofitable monoply in question.

I am further directed to transmit to you herewith a Schedule of the legal importation of Teas for the last nine years, showing how rapidly the importation from Great Britain diminished when the restoration of peace with the United States enabled the smugglers to resume a trade which has been in some degree suspended during the war, and to prove that the diminution has not arisen from an increase of the importation of coffee, a column is added to the Schedule showing the annual imports of that article. No correct information can be obtained for estimating the gradual diminution of the legal importation of Silk and other East India goods, subject to the same restrictions as Teas; but it may be safely asserted that a great reduction has taken place. When these facts are represented to the East India Company they will not fail to perceive that without an effort on their part to supply the Canadas with privileged goods upon infinitely lower terms than they can be procured under the present system, the few conscientious individuals who still persevere in the legal trade must inevitably abandon it. Under such circumstances it is conceived that the Company will be disposed either to send supplies direct to Quebec or to enter into an arrangement with Government, in order that the present trade with the United States may be legalized, an event which would not materially affect the Company's monoply, while it would prove a great benefit to these Provinces, both in a moral and financial point of view. The annual consumption of Teas in the two Provinces has been frequently stated at 10,000 or 12,000 chests, and there is reason to believe that it is not over-rated.

When the Canada Trade Act first arrived, its commercial clauses excited alarm in the minds of those engaged in the export trade of the country, but as it is now believed that we are not confined in our importations from the United States to the articles enumerated in the Schedules, as the expected Union of the Provinces promises Great increases of agricultural products, facilities in bringing them to the shipping ports and improvement in their preparation for foreign markets, the restrictions imposed by the law in question are rather considered temporary disadvantages the effects of which this growing country will gradually overcome, at present, therefore, the Committee is unwilling to insist upon some defects of the Act, and more particularly as an anxious desire is felt at the present crisis to avoid giving unnecessary trouble to Government.

Schedule of the importation of Tea and Coffee at the Port of Quebec for 9 years from 1814 to 1822.

Years.	Lbs. Hyson Tea.	Lbs. of all other sorts of Tea.	Total lbs. Tea.	Pounds of Coffee.
1814	.....	.....	487,371	168,962
1815	16,178	298,272	314,450	1,269,633
1816	18,285	200,684	218,969	335,441
1817	15,078	239,170	254,248	35,995
1818	13,085	334,923	348,008	50,778
1819	9,573	270,924	280,497	43,691
1820	7,259	159,808	167,067	55,378
1821	4,639	162,216	166,865	73,173
1822	.....	.....	134,379	94,929

To the Right Honorable the Earl Bathurst, one of His Majesty's Principal Secretaries of State, etc.

The Memorial of the Committee of Trade of Quebec, humbly showeth,

That an illicit trade in Teas and East India goods has long been carried on from the United States of America, and that it has of late increased to an alarming extent, as to threaten to supersede the legal importation of those articles.

That the present consumption of Teas in the Province of Upper and Lower Canada cannot be estimated at less than 10,000 chests annually, while the legal importation which has gradually decreased since the termination of the late war with the United States, amounted in the year 1822 to 1,846 chests only. The value of East India goods imported from Great Britain, not being distinguished by the Custom House returns, Your Lordship's Memorialists have not the means of making a comparative statement of the quantities smuggled into the Canadas, but they beg to represent as matters of notoriety, that the legal importation of those goods has also progressively diminished, and is now reduced to an insignificant amount, and Your Lordship's Memorialists further beg leave to state that they have been informed that a similar illicit traffic is pursued to an equal or greater extent in the Provinces of New Brunswick and Nova Scotia.

Your Lordship's Memorialists deem it unnecessary to enlarge on the evils which result from this contraband trade to the British ship owner, the Honorable the East India Company, the fair trader, and to the Provincial Treasury, but request briefly to call the attention of His Majesty's Ministers to the positive advantages derived therefrom by the Government and Inhabitants of the United States; the transport of the Teas only which are annually smuggled into the British Provinces affording employment to 2,000 tons of American shipping, and the duty upon them yielding to their Treasury a sum of not less than £90,000 per annum.

While Your Lordship's Memorialists deem it their bounden duty thus openly to expose the magnitude of the evil, they do not presume to recommend to His Majesty's Ministers any particular remedial enactment, but they beg to state as matter of fact, that the various restrictions heretofore imposed on the trade have proven nearly if not altogether nugatory in consequence of the extended line of Frontier between the two countries; and it is the opinion of Your Memorialists that those restrictions must continue ineffectual, while this illicit traffic holds out such strong temptation.

It does not appear to Your Lordship's Memorialists that the evil will admit of many remedies, and they beg to state for the information of His Majesty's Ministers those which have suggested themselves.

The most efficient remedies in the opinion of Your Lordship's Memorialists and those most consonant to British feelings would be found in an arrangement by which the Honorable the East India Company would undertake to supply these Colonies with Teas and East India goods, or by which a direct trade with China and the East Indies would be thrown open to individual adventurers.

In the event of the Honorable Company agreeing to carry on a trade themselves, they should be bound to import a quantity of Teas and East India goods specified and ascertained to be fully equal to the consumption, to be sold by the Company's Agents at public auction, at stated periods and in such quantities as to meet the demand.

Your Memorialists confidently hope that when the Honorable Company are made aware of the low ebb of the present legal trade, and that under the existing

system it may soon be expected to cease altogether, they will readily enter into an arrangement which would secure to the British trader and ship owner not only the supply of the North American Colonies, but of a great part of the United States adjoining thereto.

Should, however, such an arrangement with the Honorable the East India Company be found impracticable, Your Lordship's Memorialists beg leave to suggest the legalizing the importation of Teas and East India goods by sea and inland navigation, as the only alternative to protect the fair trader and to secure to these Provinces a revenue of considerable amount.

Your Memorialists therefore humbly pray that Your Lordship may be pleased to take the premises into consideration and adopt such measures therein as to Your Lordship may appear meet. And Your Memorialists as in duty bound will ever pray.

For the Committee of Trade,
(Signed) J. STEWART, Chairman.

Quebec, 24th April, 1823.

No. 1. Table showing the annual importation of Tea into Upper Canada from the year 1807 to 1811 inclusive, distinguishing the quantity imported from the Province of Lower Canada from that imported from the United States in so far as it hath been reported to the Inspector General of Public Accounts, with a statement of duties paid thereon to the Province of Upper Canada.

	Lbs. of Tea Imported from Lower Canada.					From the United States.							
Years.	Lbs. Bohea.	H. Skin. Souchong. Etc., etc.	Lbs. Hyson.	Total Lbs.	Amount of Duty.	Lbs. Bohea.	H. Skin. Souchong. Etc., etc.	Lbs. Hyson	Total.	Grand Total	Duty on Tea from States.	Total Duty.
					£ s. d.						£ s. d.	£ s. d.
1807	550¾	17,945	194	18,689¾	308 10 5½	5,203	3,090	2,339	10,632	29,321¾	153 6 8	461 17 1½
1808	691	22,562	605	23,858	400 11 8	1,690	9,367	1,024	12,581	36,439	204 2 8	604 14 4
1809	2,320	34,047	2,836	39,203	657 13 8	3,436	22,578	2,372	28,386	67,589	461 4 8	1,118 18 4
1810	944	45,555	355	46,854	775 19 10	2,482	12,385	2,511	17,378	64,232	289 17 6	1,065 17 4
1911	886	8,819	868	10,573	177 14 8	1,759	28,289	.....	30,048	40,621	485 2 10	662 17 6
—	5,391¾	128,928	4,858	139,177¾	£2,320 10 3½	14,570	76,209	8,246	99,025	238,202¾	£1,593 14 4	£3,914 4 7½
Average 5 Years.	1,078¼	25,785½	971½	27,839	£464 2 0¾	2,914	15,242	1,649	19,805	47,640½	£318 15 0	£782 17 0

This year an order was sent to the several Custom Houses directing the Collectors not to admit Teas from the United States to entry, in consequence of which smuggling commenced and great quantities were brought into the Province which paid no duty.

No. 2. Table showing the quantity of Teas imported into Upper Canada from the years 1812 to 1817 inclusive, with a statement of duties accounted for thereon to that Province by Lower Canada.

—	From Lower Canada.				Duties paid.
	Bohea.	Hyson Skin.	Hyson.	Total.	
					£ s. d.
1812	.....	21,911	2,413	24,324	425 10 2
1813	.....	45,586	2,053	47,639	810 1 10
1814	280	105,213	4,711	110,204	1,870 6 6
1815	.....	161,239	8,500	169,739	2,899 16 4
1816	.....	135,919	8,256	144,175	2,471 14 4
1817	.....	111,283	5,743	117,026	1,997 5 10
	280	581,151	31,676	612,107	£10,474 15 ..
Averages 6 years ...	46	96,858	5,279	102,184	£1,745 16 ..

No. 3. Comparative statement of Teas imported into Upper and Lower Canada for the years 1814 to 1817, being the last year Teas imported from Lower Canada were reported at Coteau du Lac.

—	From Lower Canada.	Into Lower Canada from England.
1814	110,204	487,371
1815	169,739	314,450
1816	144,175	318,969
1817	117,026	254,268
	541,144	1,275,058
Averages 4 years	135,286	318,764

No. 4. Table showing the prices of Hyson-Skin Teas when sold at the Company's sales in London, and in Lower Canada and New York.

—	In London.	Lower Canada.	New York.
Hyson Skin	¾ Sterling	4/4	2/9
	Average of 11 years 3/2½		
Duties drawn back on Exportation by Tea			11
			1/10

N.B.—Hyson Skin Tea is at this time retailed at Niagara for 3/4 sterling per pound, while the wholesale price in Lower Canada is about 4/8 sterling per pound.

Mr. Nichol, seconded by Mr. Gordon, moves that five hundred copies of the report of the Joint Committee of the Legislative Council and House of Assembly on the Tea Trade be printed. Which was ordered.

Mr. Nichol, seconded by Mr. Burwell, moves that the report of the Joint Committee of the Legislative Council and House of Assembly on the Tea Trade be concurred in. Which was carried.

Mr. Attorney General, seconded by Mr. McLean of Stormont, moves that a message be sent up to the Honorable the Legislative Council to acquaint them that this House has concurred in the report of the Joint Committee of Conference upon the subject of certain resolutions respecting the Importation of Tea into this Province, and that Messrs. Burwell and McMartin be a Committee to carry up the said message. Which was ordered.

Mr. Nichol, from the Committee of Conference on certain resolutions relative to impositions of Duties at the Port of Quebec, for satisfying the claims for losses during the late war with the United States of America, reported as follows:

The Joint Committee appointed by the Honorable the Legislative Council and House of Assembly, to confer on the propriety of addressing His Excellency the Lieutenant Governor on the subject of certain resolutions respecting impositions of duties at the Port of Quebec, for satisfying the claims for losses during the late war with the United States of America, have agreed to recommend to their several Houses that a joint address be presented to His Excellency the Lieutenant Governor purporting as follows:

That the Legislative Council and House of Assembly have concurred in certain resolutions respecting further indemnity to the Inhabitants of this Province who suffered by the late war with the United States of America, and humbly pray His Excellency to transmit the said resolutions to His Majesty's Government and to forward a copy of the same to His Excellency the Governor in Chief, in order that they may be submitted by His Excellency to the consideration of the Legislature of Lower Canada now in Session.

Mr. Nichol, seconded by Mr. Burwell, moves that the report of the Committee of Conference be concurred in. Which was carried.

Mr. Nichol, seconded by Mr. Willson of , moves that Messrs. Burwell and McMartin be directed to acquaint the Honorable the Legislative Council that this House has adopted the recommendation of the Conference to concur in an address to His Excellency founded on the Joint Resolutions of the two Houses. Which was ordered.

Mr. Crooks, seconded by Mr. Chisholm, moves that this House do now resolve itself into a Committee of the whole to take into consideration the Navigation of Waters of this Province. Which was carried and Mr. Horner was called to the Chair of the Committee.

The House resumed, the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled, "An Act to authorize the Governor, Lieutenant Governor or person administering the Government of this Province, to treat with the holder of any Government Debenture heretofore issued for postponing the period of payment of the same, and to authorize the loan of a further sum, upon the security therein mentioned to be applied toward the service of the present year." The Bill entitled, "An Act to enable the Presbyterian Congregation of York to purchase one or more parcels of ground sufficient for the erection of a Church and Burying Ground." The Bill entitled, "An Act to amend and make perpetual an Act passed in the fifty-ninth year of His late Majesty's Reign, entitled 'An Act to repeal part of and amend the Laws now in force for laying out, amending and keeping in repair the Public Highways and Roads in this Province,' and also to amend an Act passed in the fiftieth year of His late Majesty's Reign, entitled 'An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the Laws now in force for that

purpose.'" The Bill entitled, "An Act to authorize James Miles to convey to Trustees a Lot of Land for the purposes therein mentioned," and the Bill entitled, "An Act to repeal part of an Act passed in the forty-fourth year of His late Majesty's Reign, entitled 'An Act to promulgate the Provincial Statutes,' and also to repeal so much of an Act passed in the forty-first year of the Reign of His present Majesty as relates to printing the Journals, and to provide more adequate remuneration for printing annually the Statutes of this Province," which they had passed without amendments, and also the Bill entitled, "An Act to divide the County of Carleton in the Bathurst District," which they had passed with some amendments, and to which he was directed to request the concurrence of this House, and having withdrawn, the amendments to the Bill entitled, "An Act to divide the County of Carleton in the Bathurst District," were read as follows:

Press. 1, Line 15. After "Reign," expunge the words "Chapter third" and insert "entitled, An Act to repeal part of an Act passed in the thirty-eighth year of His late Majesty's Reign, intituled 'An Act for the better division of this Province, and to make further provision for the division of the same into Counties and Districts.'"

Press. 2, Line 6. After "Carleton," insert "Provided always that nothing in this Act contained, shall extend or be construed to extend to give the said Counties of Lanark and Carleton a greater increase of representation in the House of Assembly of this Province than by Law the present County of Carleton would be entitled to at the next general election, but that the said Counties of Lanark and Carleton formed by this Act, shall be each represented by one Member, any thing in an Act passed in the sixtieth year of His late Majesty's Reign, entitled 'An Act to provide for increasing the Representation of the Commons of this Province in the House of Assembly' to the contrary thereof in anywise notwithstanding."

Mr. Morris, seconded by Mr. Jones of Grenville, moves that the amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to divide the County of Carleton in the Bathurst District," be read a second time, and that the fifth Rule of the House be dispensed with so far as relates to the said amendments. Which was carried and the amendments were read the second time.

Mr. Morris, seconded by Mr. Jones of Grenville, moves that the Amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to divide the County of Carleton in the Bathurst District" be concurred in. Which was carried and the amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to divide the County of Carleton in the Bathurst District," were passed and signed by the Speaker and are as follows:

Press. 1, Line 15. After "Reign," expunge the words "Chapter third," and insert "entitled, An Act to repeal part of an Act passed in the thirty-eighth year of His late Majesty's Reign, intituled 'An Act for the better division of this Province, and to make further provision for the division of the same into Counties and Districts.'"

Press. 2, Line 6. After "Carleton," insert, "Provided always that nothing in this Act contained shall extend or be construed to extend to give the said Counties of Lanark and Carleton a greater increase of representation in the House of Assembly of this Province, than by Law the present County of Carleton would be entitled to at the next general election. But that the said Counties of Lanark and Carleton formed by this Act shall be each represented by one Member, any thing in an Act passed in the sixtieth year of His late Majesty's Reign, entitled

'An Act to provide for increasing the Representation of the Commons of this Province in the House of Assembly,' to the contrary thereof in any wise notwithstanding."

Mr. Crooks, seconded by Mr. Chisholm, moves that Messrs. Jones of Grenville and Morris be a Committee to inform the Honorable the Legislative Council that this House has concurred in the amendments made by that Honorable House to the Bill entitled, "An Act to divide the County of Carleton in the Bathurst District." Which was ordered.

The House went again into Committee on the state of the Inland Navigation of the Province.

The House resumed. Mr. Horner reported that the Committee had agreed to certain resolutions which he was directed to submit for the adoption of the House. Ordered that the report be received.

The resolutions were then severally put and carried as follows:

Resolved, That the Act 14th of His late Majesty, Chap. 83, gave to the Governor and Legislative Council of the late Province of Quebec, power and authority to make and enact Laws for the Government of the said late Province, now comprehended in the Provinces of Upper and Lower Canada.

Resolved, That by virtue of the power so vested in them, the Governor and Council of said Province made and enacted certain Laws in the twenty eighth year of His late Majesty's Reign, for regulating the Inland Navigation of the Lakes, now forming in part the boundary between the Province of Upper Canada and the United States of America, and by two subsequent Ordinances in the thirty-first year of His said late Majesty's Reign, did amend and extend the provision of the same.

Resolved, That the Navigation of the Lakes continued to be regulated by the said Ordinances till the division of the late Province of Quebec into the Provinces of Upper and Lower Canada, and until the conclusion of the Treaty between Great Britain and the United States of America, in the year 1794, which gave to the latter possession of the Western Posts, and enabled them to extend their settlements to the said Lakes.

Resolved, That as soon as the citizens of the United States built vessels on the Lakes, they were employed in transporting the productions of Upper Canada, without any interruption, equally with the vessels of His Majesty's Subjects of that Province.

Resolved, That the vessels belonging to citizens of the United States continued so to transport the productions of Upper Canada, and also merchandize inward, till the commencement of the late war, when several were actually taken (at its commencement) loaded with flour, the produce of this Province.

Resolved, That during the said war the merchant vessels of Upper Canada were either taken into His Majesty's service or captured by the enemy, consequently at the Treaty of Peace in 1815, the inhabitants of Upper Canada had no means of transporting either their produce to the market of Lower Canada, or receiving through that Province the supplies required by them, and on Lake Erie, the Military Government of this Province was obliged to employ American vessels in transporting troops and stores to re-occupy the Posts of Amherstburgh and Drummond Island.

Resolved, That in consequence of this state of things His Majesty's Subjects of this Province were induced to purchase American vessels, many of which having been rebuilt or repaired, (some recently to a considerable extent) are still fit for the purposes of navigation.

Resolved, That until the year 1816, no interruption was given to the Trade so carried on, when an American vessel loaded with flour from the head of Lake Ontario was seized at Kingston. But vessels of foreign build, owned by British Subjects were not, until last summer, (except in some cases in which seizures were made) interrupted in carrying on their usual business.

Resolved, That a considerable number of vessels, the sole property of His Majesty's Subjects, are by this interruption rendered wholly useless, being refused a Register in the United States, whereby great loss must ensue at a time, when, from the depreciated value of the productions of Upper Canada, and severe losses sustained during the late war, their owners are struggling with great difficulties and embarrassment.

Resolved, That an humble address be presented to His Excellency the Lieutenant Governor, praying His Excellency will be pleased to submit the case to the consideration of His Majesty's Government at home, and accompany the same with his favorable recommendation that Legislative provision may be made to relieve the parties thus grievously suffering, and also recommending the enactment of such a system of Laws for regulating the trade of this Province, as well with the Ports of the United States as may from the above representations appear expedient.

Mr. Crooks, seconded by Mr. Wilson of Prince Edward, moves that Messrs. Baldwin and Chisholm be a Committee to draft an address pursuant to the resolutions of this House, on the Navigation of this Province. Which was ordered.

Doctor Baldwin, seconded by Mr. Burwell, moves that the Clerk of the House do subscribe for three numbers of the "Canadian Annual Register," proposed to be edited by Charles Fothergill, to be deposited in the Library of the Legislature. Which was ordered.

Agreeably to notice, Mr. Nichol, seconded by Mr. Attorney General, moves that he have leave to bring in a Bill to amend the Act providing for the Erection of a Monument in memory of the late Major General Sir Isaac Brock. On which the House divided, and the yeas and nays being taken were as follows:

Yeas: Messrs. Robinson, Hagerman, Attorney General, Hamilton (Lincoln), Bostwick, Willson (Prince Edward).

Nays: Messrs Willson (Wentworth), Baldwin, Burwell, Gordon, Randal, Hamilton (Wentworth), Clark, Wilmot, Horner, Casey, Walsh, McLean (Stormont), Kerr, Chisholm, McMartin, Jones (Leeds).

The question was decided in the negative by a majority of ten and lost accordingly.

Doctor Baldwin, from the Committee to draft an address to His Excellency the Lieutenant Governor on the state of the Inland Navigation of this Province, reported a draft which was received and read the first time.

Mr. Crooks, seconded by Mr. McMartin, moves that the address to His Excellency the Lieutenant Governor, founded upon the resolutions of this House, be read a second time this day, and that the fifth Rule be dispensed with in so far as relates to the same. Which was carried and the address was read the second time.

Mr. Crooks, seconded by Mr. McMartin, moves that the address to His Excellency the Lieutenant Governor be concurred in, and engrossed and read a third time this day. Which was carried and ordered.

Mr. Gordon, seconded by Mr. Hamilton of Wentworth, moves that Messrs. Jones of Leeds and Burwell be a Committee to acquaint the Honorable the Legislative Council that this House has agreed to the amendments made by the Joint Committee of both Houses to the resolutions relative to the Tobacco Trade. Which was ordered.

Mr. Nichol, seconded by Mr. Attorney General, moves that it be resolved, That if the Legislative Council concur therein a joint address be presented to His Majesty to convey to His Majesty the humble and dutiful expression of our gratitude for His Majesty's Most Gracious and Benevolent consideration for the sufferers from the late war, in ordering the sum of fifty-seven thousand pounds to be distributed for their relief. Also to express our humble hope, that His Majesty will view the measure adopted by us for their further indemnity, as the only alternative within our power, and that His Majesty would be graciously pleased to continue His Most Gracious Protection to this Deserving Class of His Majesty's Subjects. Which was ordered.

Mr. Nichol, seconded by Doctor Baldwin, moves that a copy of the said resolution be sent to the Legislative Council for concurrence, and that Messrs. Burwell and Chisholm do carry up the same. Which was ordered.

Mr. Nichol, from the Joint Committee of Conference on the Boundary Line between this Province and the United States of America, reported a draft of an address to His Majesty on that subject, which had been agreed upon by the Joint Committee. Ordered that the report be received, and the draft was read the first time.

Mr. Nichol, seconded by Mr. Gordon, moves that the joint address to His Majesty on the Boundary Line be concurred in. Which was carried.

Mr. Nichol, seconded by Mr. Gordon, moves that Messrs. Wilmot and Horner be directed to acquaint the Honorable the Legislative Council that this House has concurred in the joint address to His Majesty on the Boundary Line. Which was ordered.

The House then adjourned till twelve o'clock to-morrow.

Friday, 16th January, 1824.

The House met. Prayers were read. The Minutes of yesterday were read.

Doctor Baldwin, from the Committee to wait on His Excellency the Lieutenant Governor with the address relative to the second circuit, reported delivering the same, and that His Excellency had been pleased to make thereto the following reply.

Gentlemen of the House of Assembly,—I shall not fail to take into my serious consideration the subject matter of your address.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor on the subject of Navigation was read the third time, passed and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please your Excellency,—We His Majesty's Dutiful and Loyal Subjects the Commons of Upper Canada in Provincial Parliament assembled, having resolved:

That the Act 14th year of the Reign of His late Majesty, Chapter 83, gave to the Governor and Legislative Council of the late Province of Quebec, power and authority to make and enact Laws for the Government of said late Province, now comprehending the Provinces of Upper and Lower Canada.

That by virtue of the power so vested in them, the Governor and Council of said Province made and enacted certain laws in the twenty-eighth year of His late Majesty's Reign, for regulating the Inland Navigation on the Lakes, now forming part of the Boundary between the Province of Upper Canada, and the United States of America, and by two subsequent Ordinances made in the thirty-first year of His said late Majesty's Reign, did amend and extend the provisions of the same.

That the Navigation of the Lakes continued to be regulated by the said Ordinances till the division of the late Province of Quebec into the Provinces of Upper and Lower Canada, and until the conclusion of the treaty between Great Britain and the United States of America in the year 1794, which gave to the latter possession of the Western Posts, and enabled them to extend their settlements to the said Lakes.

That as soon as the citizens of the United States built vessels on the Lakes, they were employed in transporting the productions of Upper Canada, without any interruption, equally with the vessels of His Majesty's Subjects of that Province.

That the vessels belonging to citizens of the United States continued so to transport the productions of Upper Canada, and also merchandise inward, till the commencement of the late war, when several were actually taken, (at its commencement) loaded with flour, the produce of that Province.

That during the said war the merchant vessels of Upper Canada were either taken into His Majesty's service or captured by the enemy, consequently, at the Treaty of Peace in the year 1815, the inhabitants of Upper Canada had no means of transporting either their produce to the market of Lower Canada, or receiving through that Province the supplies required by them. And on Lake Erie the Military Government of this Province was obliged to employ American vessels in transporting troops and stores to re-occupy the Posts of Amherstburg and Drummond Island.

That in consequence of this state of things His Majesty's subjects of this Province were induced to purchase American vessels, many of which having been re-built or repaired, (some recently to a considerable extent) are still fit for the purpose of navigation.

That until the year 1816, no interruption was given to the trade so carried on, when an American vessel loaded with flour from the head of Lake Ontario was seized at Kingston. But vessels of foreign build, owned by British Subjects, were not, until last summer, (except in some cases in which seizures were made) interrupted in carrying on their usual business.

That a considerable number of vessels the sole property of His Majesty's Subjects, are by this interruption rendered wholly useless, (being refused a Register in the United States) whereby great loss must ensue at a time when, from the depreciated value of the productions of Upper Canada, and severe losses sustained during the late war, their owners are struggling with great difficulties and embarrassment.

Beg leave to submit the same to your Excellency, and to request your Excellency would be pleased to transmit them to His Majesty's Government in England, accompanied by your Excellency's favorable recommendation, that Legislative provision may be made, as well to relieve the distress of those owning vessels of foreign build, which have been heretofore purchased, and are the bona fide property of His Majesty's Subjects in this Province, as to provide a system of laws for regulating the navigation with the ports of the United States, as may from the above representation appear expedient.

Commons House of Assembly,

16th January, 1824. Levius P. Sherwood, Speaker.

Mr. Crooks, seconded by Mr. Clark, moves that Messrs. Walsh and Chisholm be a Committee to carry up to His Excellency the Lieutenant Governor the address of this House on the Navigation of this Province, to know when His Excellency will be pleased to receive it, and to present the same. Which was ordered.

Mr. Wilmot, seconded by Mr. Wilson of Prince Edward, moves that Mr. Willson of Wentworth be added to the Committee on the Contingent Accounts of this House for the present Session. Which was ordered.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled, "An Act granting to His Majesty a sum of money for the purposes therein mentioned," the Bill entitled "An Act to compensate the services of the Commissioners of Customs," and the Bill entitled, "An Act to repeal an Act passed in the forty-first year of His late Majesty's Reign, entitled 'An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province the like duties on goods and merchandize brought into this Province from the United States of America, as are now paid on goods and merchandize imported from Great Britain and other places,' and also An Act passed in the forty-third year of His late Majesty's Reign, entitled 'An Act to explain and amend an Act passed in the forty-first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province the like duties on goods and merchandize brought into this Province from the United States of America, as are now paid on goods and merchandize imported from Great Britain and other places," and to provide more effectually for the collection and payment of duties on goods and merchandize coming from the United States of America into this Province; and also to establish a fund for the erection and repairing of Light Houses,' and to make more effectual provision for the due collection of duties on goods imported into this Province," which they had passed without amendment, and also a message, and having withdrawn, the Speaker read the message as follows:

Mr. Speaker,—The Honorable the Legislative Council have concurred in the resolution sent up this day from the Commons House of Assembly, and have appointed a Committee of two Members who will be ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room at 3 o'clock p.m. this day, for the purpose of preparing a joint address to His Majesty founded thereon.

Legislative Council Chamber,
16th January, 1824. WM. DUMMER POWELL, Speaker.

Mr. Nichol, seconded by Mr. Burwell, moves that this House do concur in the message of the Honorable the Legislative Council, and that Messrs. Hagerman, Crooks and McLean of Stormont be ordered to attend the Conference on the part of this House. Which was ordered.

Mr. Nichol, seconded by Mr. Jones of Leeds, moves that Messrs. Burwell and McMartin be directed to acquaint the Honorable the Legislative Council that this House has acceded to the request of that Honorable House, and that a Committee has been appointed for that purpose. Which was ordered.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council several addresses and having withdrawn the Speaker read the same as follows:

To the King's Most Excellent Majesty: Most Gracious Sovereign,—We your Majesty's Dutiful and Loyal Subjects the Legislative Council and Commons of

Upper Canada in Provincial Parliament assembled, humbly beg leave to represent to Your Majesty that by the Laws of the Empire, Your Majesty's Subjects in Upper Canada are prohibited from procuring the article of tea which is in very general use among them, by any other means than by importation from Great Britain.

Your Majesty's Petitioners are fully aware that this restriction does not apply peculiarly to Canada, but that it is a Regulation of Trade which extends to all Your Majesty's Dominions, and is in fact an express condition in the Charter granted by Parliament to the Honorable East India Company, with a just regard, as your petitioners are convinced, to the interests of the Empire, and to the claims of that great Commercial Body.

Your Majesty's Petitioners do therefore neither complain of this restriction as a grievance, nor presume to pray that it may be relaxed in their favor, upon the unreasonable expectation that, as a matter of indulgence, that can be conceded to them which is withheld from their fellow subjects in other parts of the Empire; but they humbly and earnestly entreat Your Majesty's attention to their representation, that from circumstances wholly beyond their power to control, the Laws which are intended to confine their trade in tea to importations from Great Britain cannot be enforced; that their supplies of that article, which is in truth one of general and almost necessary consumption, instead of being furnished by the fair trade in the course of Legal Commerce, are clandestinely introduced from the adjoining States of America, which lie contiguous to Upper Canada along the whole extent of its southern boundary. That this illicit intercourse to which the comparatively low price of the tea thus supplied, furnish the strongest temptation and against which the position and circumstances of the Country render it impossible to guard, wholly defeats the hope of any advantage to the East India Company, and to the Shipping Interest of Great Britain or Her Colonies from the present restriction, while it is injurious to the fair trader, extremely detrimental to the Public Revenue, and pernicious to the morals of the people.

Your Majesty's Petitioners are fully convinced, both from reason and experience, that these evils must continue to exist, until some means are taken by the Honorable East India Company or with their consent to counteract them, and in a report which they beg leave to lay before Your Majesty, they have ventured with humble deference to suggest such measures as appear to them most likely to afford an effectual remedy.

Your Majesty's Petitioners have endeavored in their report to state fully the circumstances which compel them thus, respectfully, to solicit Your Majesty's attention to a subject of much importance to the welfare of Your Majesty's Subjects in this Colony; they have desired to anticipate the probable difficulties as well as the benefits of the several measures they have presumed to propose to Your Majesty's consideration, and to furnish such information as it is in their power to afford; and they rely with just confidence in the wisdom and goodness of Your Majesty to recommend to the Imperial Parliament such Provision for the removal of the evils represented, as to Your Majesty may seem meet.

Legislative Council,
16th January, 1824. Wm. Dummer Powell, Speaker.

To His Excellency Sir Peregrine Maitland, Knight Commander of The Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces within the same, etc.

May it please Your Excellency,—The Legislative Council and House of Assembly in Provincial Parliament assembled, have concurred in a report with certain documents annexed thereto, and agreed on a joint address to His Majesty, praying that Our Most Gracious Sovereign in consideration of the circumstances which render it impossible for them to prevent the clandestine introduction of the article of tea into this Province from the United States of America, would be pleased to recommend to the Imperial Parliament such measures as His Majesty may in His wisdom deem most likely to afford a remedy, so important to the welfare of His Majesty's subjects in this Colony.

They therefore entreat that Your Excellency will be pleased to cause their address to His Majesty, with their report to be laid at the foot of the Throne.

Legislative Council Chamber,

16th January, 1924. WM. DUMMER POWELL, Speaker.

Mr. Burwell, seconded by Mr. Jones of Leeds, moves that the address to His Majesty sent down from the Honorable the Legislative Council on the subject of the Tea Trade be read a second time this day, and that the fifth Rule of this House be dispensed with in so far as relates to the same.

Which was carried and the joint address to His Majesty relative to the Tea Trade was read a second time, concurred in and signed by the Speaker, and is as follows:

To the King's Most Excellent Majesty: Most Gracious Sovereign,—We Your Majesty's Dutiful and Loyal Subjects the Legislative Council and Commons of Upper Canada in Provincial Parliament Assembled, humbly beg leave to represent to Your Majesty, that by the Laws of the Empire, Your Majesty's Subjects in Upper Canada are prohibited from procuring the article of tea, which is in very general use among them, by any other means than by importation from Great Britain.

Your Majesty's Petitioners are fully aware that this restriction does not apply peculiarly to Canada, but that it is a regulation of trade which extends to all Your Majesty's Dominions, and is in fact an express condition in the Charter granted by Parliament to the Honorable East India Company, with a just regard, as Your Petitioners are convinced, to the interests of the Empire, and to the claims of that great Commercial Body.

Your Majesty's Petitioners do therefore neither complain of this restriction as a grievance, nor presume to pray that it may be relaxed in their favor, upon the unreasonable expectation, that, as a matter of indulgence, that can be conceded to them which is withheld from their fellow subjects in other parts of the Empire, but they humbly and earnestly entreat Your Majesty's attention to their representation that from circumstances wholly beyond their power to control, the Laws which are intended to confine their trade in tea to importations from Great Britain cannot be enforced. That their supplies of that article, which is in truth one of general and almost necessary consumption, instead of being furnished by the fair trade in the course of Legal Commerce, are clandestinely introduced from the adjoining States of America, which lie contiguous to Upper Canada along the whole extent of the southern boundary. That this illicit intercourse, to which the comparatively low price of the teas thus supplied furnish the strongest temptation, and against which the position and circumstances of the country render it impossible to guard, wholly defeats the hope of any advantage to the East India Company, and to the Shipping Interests of Great Britain or her Colonies from the present restriction, while it is injurious to the fair trader, extremely detrimental to the Public Revenue, and pernicious to the Morals of the People.

Your Majesty's Petitioners are fully convinced, both from reason and experience, that these evils must continue to exist until some means are taken by the Honorable East India Company, or with their consent, to counteract them, and in a report which they beg leave to lay before Your Majesty, they have ventured with humble deference to suggest such measures as appear to them most likely to afford an effectual remedy.

Your Majesty's Petitioners have endeavored in their report to state fully the circumstances which compel them, thus, respectfully, to solicit Your Majesty's attention to a subject of much importance to the welfare of Your Majesty's Subjects in this Colony. They have desired to anticipate the probable difficulties as well as the benefits of the several measures they have presumed to propose to Your Majesty's consideration, and to furnish such information as it is in their power to afford. And they rely with just confidence in the wisdom and goodness of Your Majesty to recommend to the Imperial Parliament such provision for the removal of the evils represented as to Your Majesty may seem meet.

Legislative Council,
16th January, 1824. Wm. Dummer Powell, Speaker.
Commons House of Assembly,
16th January, 1824. Levius P. Sherwood, Speaker.

Mr. Burwell, seconded by Mr. Jones of Leeds, moves that the address to His Excellency the Lieutenant Governor sent down from the Honorable the Legislative Council on the subject of the Tea Trade be read a second time this day, and that the fifth Rule of this House be dispensed with in so far as relates to the same. Which was carried, and the address to His Excellency the Lieutenant Governor on the subject of the Tea Trade was read a second time, concurred in and signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency,—The Legislative Council and House of Assembly in Provincial Parliament Assembled, have concurred in a report with certain documents annexed thereto, and agreed on a joint address to His Majesty, praying that our Most Gracious Sovereign in consideration of the circumstances which render it impossible for them to prevent the clandestine introduction of the article of tea into this Province from the United States of America, would be pleased to recommend to the Imperial Parliament such measures as His Majesty may in his wisdom deem most likely to afford a remedy so important to the welfare of His Majesty's Subjects in this Colony.

They therefore entreat that Your Excellency will be pleased to cause their address to His Majesty with their report to be laid at the Foot of the Throne.

Legislative Council Chamber,
16th January, 1824. Wm. Dummer Powell, Speaker.
Commons House of Assembly,
16th January, 1824. Levius P. Sherwood, Speaker.

Mr. Burwell, seconded by Mr. Jones of Leeds, moves that Messrs. McDonell and Bostwick be ordered to acquaint the Honorable the Legislative Council that this House has concurred in the address to His Majesty sent down from that Honorable House on the subject of the Tea Trade, and also in the address to His Excellency the Lieutenant Governor sent down from that Honorable House in relation thereto. Which was ordered.

Mr. McDonell, from the Joint Committee of Conference on the state of the Library, reported as follows:

Joint Committee Room,
16th January, 1824.

The Joint Committee of Conference appointed to examine into the state of the Library, having met in the Joint Committee Room, agreed to recommend to their respective Houses, that the Sum of Two Hundred Pounds should be placed at the disposal of His Excellency the Lieutenant Governor for the purpose of completing the present setts of the "Statutes at Large," "Annual Register," "Parliamentary Debates," "Quarterly Review," "Edinburgh Review," and to procure a second sett of the "Statutes at Large," and the latest edition of "Burns' Justice."

Several books are missing from the Library, but as it is supposed they are in the possession of gentlemen connected with the Legislature it is probable that they will be speedily returned.

The Committee considered the propriety of recommending the appointment of a permanent Librarian with an encreased salary, whose duty it should be to remain constantly in the Chamber where the books are placed during the Session of the Legislature, being perfectly satisfied that without the appointment of such an officer, no regularity can be expected to be observed in the Library. Under existing circumstances, however, the Committee considered that it might be deemed advisable to delay this measure until a future Session.

The Committee also consider that the appropriation of a sum of money annually, for the purpose of making additions to the present collection of books, was most desirable, but the same reasons which restrained their recommending the immediate appointment of a Librarian induced them not to press this subject on the consideration of their respective Houses.

ALEX'R MCDONELL, Chairman.

Mr. Nichol from the Joint Committee of Conference on the subject matter of a Resolution of this House on which the Honorable the Legislative Council had concurred, reported as follows:

The Joint Committee appointed to confer on the subject matter of a Resolution of the House of Assembly, in which the Legislative Council have concurred, having met, agreed on the form of an Address to His Majesty, and also to His Excellency the Lieutenant Governor, praying him to transmit the same. Which are recommended to the consideration of their respective Houses.
January 16th, 1824.

J, BABY, } Legislative
THOMAS CLARK, }
ROBT. NICHOL, } House of
C. A. HAGERMAN, } Assembly.
ARCH'D. MCLEAN, } Assembly.
JAS. CROOKS, } Assembly.

The Addresses reported were then read.

Mr. Nichol, seconded by Mr. Crooks, moves that the House do concur on the Report of the Committee of Conference. Which was carried.

Mr. Nichol, seconded by Mr. Willson, of ....., moves that Messrs. Crooks and Bostwick be directed to acquaint the Honorable the Legislative Council that this House has concurred in the Report of the Committee of Conference on the subject of an Address to His Majesty, relative to the sufferers by the late war. Which was ordered.

Mr. Willson, of Wentworth, seconded by Mr. ....., moves that Mr. Crooks have leave of absence during the remainder of the Session. Which was granted.

The House then adjourned till twelve o'clock to-morrow.

Saturday, 17th January, 1824

The House met. Prayers were read. The Minutes of yesterday were read.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled "An Act to continue for a limited time an Act passed in the second year of His Majesty's Reign, entitled 'An Act to make provision for the improvement of the internal navigation of this Province as amended by an Act passed in the third year of His Majesty's Reign, entitled an Act to amend and extend the provisions of an Act passed in the second year of His Majesty Reign, entitled An Act to make provision for the improvement of the internal navigation of this Province, except so much thereof as is thereby repealed, and to grant a further sum of money for such improvement," which they had passed without amendment, and the Bill entitled "An Act to make more ample provision for regulating the Police of the Town of Kingston," to which they had made an amendment and to which he was directed to request the concurrence of this House, and also several Messages and Addresses, and having withdrawn the Speaker read the Messages as follows:

Mr. Speaker: The Honorable the Legislative Council request a conference with the Commons House of Assembly on the subject matter of the Bill entitled "An Act granting to His Majesty a sum of money to remunerate Allan McNabb, Esquire, Serjeant at Arms, for past services, and to provide a pension for him during his natural life," and have appointed a Committee of two Members who are now ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room.

WM. DUMMER POWELL, Speaker

Legislative Council Chamber,
17th January, 1824.

Mr. Speaker: The Honorable the Legislative Council have agreed to the amendments made by the Commons House of Assembly in and to the Bill entitled "An Act to make further provision for settling the affairs of the pretended bank of Upper Canada.

WM. DUMMER POWELL, Speaker.

Legislative Council Chamber,
17th January, 1824.

Mr. Speaker: The Honorable the Legislative Council have concurred in the Report of the Joint Committee of Conference on the subject of the state of the Library.

WM. DUMMER POWELL, Speaker

Legislative Council Chamber,
17th January, 1824.

Mr. Walsh from the Committee to wait on His Excellency the Lieutenant Governor with the Address of this House relative to the internal navigation of the Province, reported delivering the same and that His Excellency had been pleased to make thereto the following reply:

Gentlemen of the House of Assembly: The circumstances represented in

your Address with relation to the Navigation Laws generally, have at various times engaged my attention, and have recently more especially been pressed upon the consideration of His Majesty's Government. Those persons in particular who have suffered under the provisions of the Navigation Acts, and whom I have found it out of my power to relieve, have been repeatedly invited by me to submit their cases to His Majesty and have had the most explicit assurances that I would recommend them to the most favorable consideration.

With respect to any change which may appear expedient in the future regulation of our trade, His Majesty's Government is already in possession of my statements, and if the House of Assembly think it expedient to address His Majesty on the subject I will not fail to transmit their representation.

The Resolutions you have now brought before me, will of course, form a part of the Journals of Your House, and as such will necessarily be forwarded in the regular manner to His Majesty's Government.

Mr. Wilmot, seconded by Mr. Willson, of ....., moves that this House do concur in the request of the Honorable the Legislative Council for a conference on the subject matter of the Bill entitled "An Act granting to His Majesty a sum of money to remunerate Allan McNabb, Esquire, Serjeant at Arms, for past services, and to provide a pension for him during his natural life," and that Messrs. Horner and Randal be a Committee to inform that Honorable Body that this House have appointed four Members to meet the Conferees of that Honorable House immediately. Which was carried.

Mr. Wilmot, seconded by Mr. Hagerman, moves that Messrs. Willson, of Wentworth, Burwell and Kerr be a Committee to confer with the Committee of the Honorable the Legislative Council on the subject matter of the Bill entitled "An Act granting to His Majesty a sum of money to remunerate Allan McNabb, Esquire, Serjeant at Arms, for past services, and to provide a pension for him during his natural life." Which was ordered.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled "An Act to repeal an ordinance of the late Province of Quebec, made in the 28th year of His late Majesty's Reign, entitled "An Ordinance for promoting the Inland Navigation." Which they had passed without amendment and withdrew.

The Joint Addresses on the subject of the Boundary Line were then read.

Mr. Nichol, seconded by Mr. Randal, moves that the Joint Address of the Legislative Council and House of Assembly to His Majesty on the subject of the Boundary Line, also the Address to His Excellency the Lieutenant Governor praying His Excellency to transmit the same, sent down from the Honorable the Legislative Council for concurrence, be concurred in. Which was carried and the Addresses were signed by the Speaker and are as follows:

To the King's Most Excellent Majesty: Most Gracious Sovereign,—We, Your Majesty's dutiful and loyal subjects, the Legislative Council and House of Assembly of the Province of Upper Canada, in Provincial Parliament assembled, most humbly beg leave to approach Your Majesty's Royal person, and to submit to Your Majesty our humble representations on matters deeply affecting the interests of Your Majesty's faithful subjects inhabiting the Provinces of Canada.

We with all humility represent to Your Majesty that in the year 1822, a Public Instrument issued from the Department of State of the United States of America, as the award of the Commissioners under the Treaty of Ghent, for ascertaining the Boundary Line between Upper Canada and the said United States, by which an Island called Barnhart's Island, which from the conquest and

cession of Canada had been occupied by Your Majesty's subjects and under Your Majesty's Dominion, was declared to be a part of and within the territory of the United States, and that in conformity to that declaration, the State of New York has exercised jurisdiction by executing legal process therein.

We also with all humility represent to Your Majesty that Barnhart's Island approaches to within an hundred and thirty yards of the Canadian shore and that by its relinquishment the United States of America have obtained possession of all the navigable channels of the Saint Lawrence in that portion of its course, and that Your Majesty's faithful subjects have been cut off from all communication by water with Lower Canada unless by passing through the territories of a foreign power.

We are at a loss, may it please Your Majesty, to conceive upon what grounds a decision could have been made which was to confine thereafter to one nation the only navigable channels of one of the noblest rivers in the world, whose waters where they form the boundary had hitherto afforded equal advantages in navigation to both, but it is nevertheless true that the Boundary that has been assented to included within the territories of the United States the only deep and safe channel in that part of the river, and that it is wholly impracticable for rafts of timber, staves and other lumber which are among the principal exports of Upper Canada to descend to the only markets which are open to them, by the shallow, dangerous and intricate channel on the north side of Barnhart's Island, even were it ceded exclusively to Your Majesty.

We will not, may it please Your Majesty, weaken our representation or incur the hazard of committing injustice by ascribing motives to Your Majesty's Commissioner, but we feel ourselves impelled to declare that no person acquainted with the localities of the island ceded, and impressed, as we are with the importance in a national point of view of those advantages of which its cession will deprive us, could have failed to insist on its being retained by Your Majesty.

While suffering from this unfortunate error on the part of Your Majesty's Commissioner, our anxiety have been again awakened by having seen in a Message sent by the President of the Congress of the United States an intimation that a negotiation is now pending between that Government and Your Majesty for procuring for its subjects the free navigation of the River Saint Lawrence to the ocean.

We entreat Your Majesty to believe that we would not intentionally offend Your Majesty by obtruding our forebodings of the unhappy consequences which in our opinion would flow from the recognition of this claim, but our feelings and interest are too deeply involved in the result to permit us to withhold from Your Majesty the apprehension we entertain.

We fear, Most Gracious Sovereign, that the admission of the subjects of the United States to the free navigation of the River Saint Lawrence to the ocean would be most ruinous to British interests; would endanger our connection with Your Majesty's Empire; would injure to an incalculable extent our commerce and revenues, and would by admitting a direct trade under a foreign flag, not allowed to British subjects, facilitate the illicit introduction of foreign merchandise, and afford to the subjects of the foreign State advantages not enjoyed by Your Majesty's Canadian subjects, for which the restitution of Barnhart's Island and the free navigation of the South Channel of the Saint Lawrence, valuable as we admit those objects to be, and particularly interesting as they are to ourselves, would not in our opinion be an adequate compensation.

We therefore most humbly and earnestly implore Your Majesty to take

these our humble representations into Your Majesty's most gracious consideration, and beseech Your Majesty to direct the attention of Your Majesty's Ministers during the negotiation said to be depending to such measures as may effectually secure the present and future interests of Your Majesty's Canadian subjects.

WM. DUMMER POWELL, Speaker.

Legislative Council,
16th January, 1824.

LEVIUS P. SHERWOOD, Speaker.

Commons House of Assembly,
17th January, 1824.

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein, etc.

May it Please Your Excellency: The Legislative Council and House of Assembly in Provincial Parliament assembled have agreed on a Joint Address to His Majesty, praying that Our Most Gracious Sovereign would be pleased to take into consideration the unhappy situation in which His Majesty's subjects of this Province are placed by the award of the Commissioners for ascertaining the Boundary Line between Upper Canada and the United States of America, which renders it impossible for them to transport their principal exports to the sea without passing through the territory of a foreign power, and to beseech His Majesty to direct the attention of His Majesty's Ministers during the negotiation said to be depending to such measures as may effectually secure the present and future interests of His Majesty's Canadian subjects.

They therefore entreat that Your Excellency will be pleased to cause their Address to His Majesty to be laid at the foot of the Throne.

WILLIAM DUMMER POWELL, Speaker.

Legislative Council,
16th January, 1824.

LEVIUS P. SHERWOOD, Speaker.

Commons House of Assembly,
17th January, 1824.

The Joint Addresses on the subject of the claims for losses during the late war was then read.

Mr Nichol, seconded by Mr. Randal, moves that the Joint Address of the Legislative Council and House of Assembly to His Majesty on the subject of the claims for losses sent down for concurrence; also the Address to His Excellency the Lieutenant Governor praying him to transmit the same be concurred in. Which was carried and the Addresses were signed by the Speaker and are as follows:

To the King's Most Excellent Majesty: Most Gracious Sovereign,—We, Your Majesty's dutiful and loyal subjects the Legislative Council and Commons of Upper Canada in Provincial Parliament assembled, most humbly beg leave to convey to Your Majesty the humble and dutiful expression of our gratitude for the gracious and benevolent consideration which Your Majesty has given to the claims of the sufferers from the late war, as evinced in the munificient donation of the sum of Fifty-seven Thousand Pounds Sterling, directed by Your Majesty to be distributed among them.

We also beg leave to express our humble hope that Your Majesty will view the measures we have adopted for their further indemnity as the most expedient,

and as a proof of our readiness to comply with Your Majesty's most gracious intimation respecting them as far as our means will admit.

We further most humbly entreat Your Majesty to continue Your most gracious protection to this most deserving class of Your Majesty's subjects.

Wm. Dummer Powell, Speaker.

Legislative Council,
16th January, 1824.

Levius P. Sherwood, Speaker

Commons House of Assembly,
17th January, 1824.

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency: We, His Majesty's dutiful and loyal subjects, the Legislative Council and Commons House of Assembly of the Province of Upper Canada in Provincial Parliament assembled, have agreed on an humble Address to His Majesty to convey to His Majesty the humble and dutiful expression of gratitude for His Majesty's most gracious and benevolent consideration for the sufferers from the late war, as evinced in the munificent donation of the sum of Fifty-seven Thousand Pounds, directed by His Majesty to be distributed among them. Also to express our humble hope that His Majesty will view the measures we have adopted for their further indemnity, as the most expedient, and as a proof of our readiness to comply with His Majesty's gracious intimation respecting them. Also humbly to entreat the continuation of His Majesty's most gracious protection to the most deserving class of His Majesty's subjects.

Which Address we pray Your Excellency to transmit with our humble duty to be laid at His Majesty's Feet.

Wm. Dummer Powell, Speaker.

Legislative Council,
16th January, 1824.

Levius P. Sherwood, Speaker.

Commons House of Assembly,
17th January, 1824.

The Joint Addresses on the subject of the Tobacco trade of this Province were then read.

Mr Nichol, seconded by Mr. Randal, moves that the Joint Address to His Majesty from the Legislative Council and House of Assembly on the culture of Tobacco sent down from the Honorable the Legislative Council for concurrence. Also the Address to the Lieutenant Governor praying His Excellency to transmit the same, be concurred in. Which was carried and the Addresses were signed by the Speaker, and are as follows:

To the King's Most Excellent Majesty: Most Gracious Sovereign,—We, Your Majesty's dutiful and loyal subjects the Legislative Council and Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to represent:

That the Western Districts of Upper Canada, though highly favored in regard to climate and soil, are from their remote situation and the consequent difficulty and expense of transporting their bread stuffs and other principal productions to market, subject to great disadvantages in comparison with the other portions of the Province.

That these disadvantages increasing greatly the inconvenience and loss resulting from the uncertainty of a profitable market for those staples, have necessarily occasioned a depreciation in their value, and have checked the agricultural and commercial prosperity of those particular sections of the Province. That actual experiment has proved that the climate and soil of the Western Districts are generally well adapted to the culture of Tobacco, which being an article of greater value in proportion to its bulk than the ordinary production of the Province, and consequently better able to bear the charge of transportation to market, would be cultivated extensively by the Inhabitants of those districts if they were encouraged by the certainty of a remunerating price.

That it has been satisfactorily ascertained that the Tobacco of Upper Canada from its being cultivated by a free instead of a slave population, from its less easy access to market and from other causes, cannot be introduced into Great Britain, so as to compete with the same article imported from the United States of America, if both are admitted for consumption upon the same terms, but Your Majesty's Petitioners have good reason to believe that if an abatement inconsiderable in proportion were made in the Excise Duty imposed in Great Britain on Tobacco produced in Upper Canada when taken out of the warehouse for consumption it would lead to its general cultivation in the Western Districts of this Province.

Your Majesty's Petitioners beg leave respectfully to represent to Your Majesty that such a measure on the part of the Parent State would induce the rapid population of those remote sections of Upper Canada, which require some peculiar advantage to compensate for their distance from markets, and it would add most materially to the strength and value of the colony by the introduction of capital and the impulse it would afford to general improvement, and that it would necessarily tend to enable a much greater portion of its Inhabitants to become profitable consumers of the manufactures of Great Britain.

Your Majesty's Petitioners are encouraged by these considerations to indulge the hope that an expectation which Your Majesty's subjects have ventured to form of a benefit which must be attended with such important results, will by Your Majesty's gracious intercession be happily realized.

WM. DUMMER POWELL, Speaker.

Legislative Council,
16th January, 1824

LEVIUS P. SHERWOOD, Speaker.

Commons House of Assembly,
17th January, 1824.

To His Excellency Sir Peregrine Maitland, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein, etc.

May it Please Your Excellency: The Legislative Council and House of Assembly in Provincial Parliament assembled, have concurred in certain Resolutions respecting the culture of Tobacco in the Western Districts of this Province, and have concurred in a Joint Address to His Majesty praying that Our Most Gracious Sovereign in consideration of the difficulties and expense of transporting that article to Great Britain, would be pleased to recommend such abatement on the Excise duty imposed upon Tobacco produced in Upper Canada as to His Majesty may seem meet.

They therefore entreat that Your Excellency will be pleased to cause their Address to His Majesty and Resolutions to be laid at the foot of the Throne.

Wm. Dummer Powell, Speaker.

Legislative Council,
16th January, 1824.

Levius P. Sherwood, Speaker.

Commons House of Assembly,
17th January, 1824.

The Joint Addresses founded on certain Resolutions respecting the sufferers during the late war was then read.

Mr. Nichol, seconded by Mr. Randal, moves that the joint address to His Excellency the Lieutenant Governor from the Legislative Council and House of Assembly, praying His Excellency to transmit certain resolutions of the Legislative Council and Assembly on the subject of the Sufferers by the late War, to His Majesty, and to His Excellency the Governor in Chief, sent down for concurrence be concurred in. Which was carried and the address was signed by the Speaker, and is as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of The Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, etc.

May it please Your Excellency,—The Legislative Council and House of Assembly have concurred in certain resolutions, respecting further indemnity to the inhabitants of this Province who suffered by the late war with the United States of America, and Humbly pray Your Excellency to transmit the said resolutions to His Majesty's Government, and to forward a Copy of the same to His Excellency the Governor in Chief, in order that they may be submitted by His Excellency to the consideration of the Legislature of Lower Canada now in Session.

Legislative Council,
16th January, 1824. Wm. Dummer Powell, Speaker.

Commons House of Assembly,
17th January, 1824. Levius P. Sherwood, Speaker.

The amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to make more ample provision for regulating the Police of the Town of Kingston," were then read as follows:

Press. 2. Expunge the third clause.

Mr. Nichol, seconded by Mr. Gordon, moves that Messrs. Robinson and McLean of Stormont be directed to acquaint the Honorable the Legislative Council that this House has concurred in the several addresses to His Majesty and to the Lieutenant Governor, sent down this day for concurrence from that Honorable House. Which was ordered.

Mr. Jones of Leeds, seconded by Mr. Gordon, moves that the amendment to the Bill entitled, "An Act to make more ample provision for regulating the Police of the Town of Kingston," be read a second time this day, and that the fifth Rule of this House be dispensed with in so far as it relates thereto. Which was carried and the amendments were read a second time, concurred in and signed by the Speaker, and are as follows:

Press. 2. Expunge the Third Clause.

Mr. Hagerman, seconded by Mr. Bostwick, moves that Messrs. Hamilton of Lincoln and Chisholm be a Committee to acquaint the Honorable the Legislative

Council that this House has concurred in the amendments made in and to the Bill entitled, "An Act to make more ample provision for regulating the Police of the Town of Kingston." Which was ordered.

Mr. Nichol, seconded by Mr. McDonell, moves that the House do now resolve itself into a Committee of the whole to take into consideration the report of the Joint Committee on the Library. Which was carried and Mr. Baby was called to the Chair of the Committee.

The House resumed, the Black Rod being at the Door.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a message, and having withdrawn the Speaker read the same as follows:

Mr. Speaker,—The Honorable the Legislative Council have appointed a Committee of two Members who are now ready to wait upon His Excellency the Lieutenant Governor, to know when he will be pleased to receive the joint addresses of the two Houses of the Provincial Legislature on various subjects.

Legislative Council Chamber,
17th January, 1824. WM. DUMMER POWELL, Speaker.

Mr. Nichol, seconded by Mr. Burwell, moves that Messrs. Hagerman, Robinson, Jones of Leeds, and Gordon be directed to wait upon His Excellency the Lieutenant Governor with the Committee of the Honorable the Legislative Council, to know when he will be pleased to receive the joint addresses of both Houses. Which was ordered.

Mr. Nichol, seconded by Mr. McLean of Stormont, moves that Messrs. Burwell and Bostwick be directed to acquaint the Honorable the Legislative Council that this House has appointed a Committee of four of its Members for the above purpose. Which was ordered.

The House went again into Committee on the report of the Joint Committee of Conference on the State of the Library.

The House resumed. Mr. Baby reported that the Committee had agreed to several resolutions which he was directed to submit for the adoption of the House. Ordered that the report be received.

The several resolutions were then put and carried as follows:

Resolved, that by the report of the Joint Committee on the state of the Library it appears that several valuable books are missing and have not been accounted for.

Resolved, that measures ought to be adopted for collecting the said books with as little delay as possible.

Resolved, that the Acting Librarian be directed to write to the Members and others privileged to take books, requesting them to return such books as may be in their possession, and to take such other measures as may be most expedient for collecting them.

Mr. Wilmot from the Committee appointed to confer with the Committee of the Honorable the Legislative Council on the subject matter of the Bill entitled, "An Act granting to His Majesty a Sum of Money to remunerate Allan McNabb, Esquire, Serjeant at Arms for past services, and to provide a pension for him during his natural life," reported as follows:

To the Honorable the Commons House of Assembly,—Your Committee appointed to meet the Committee of the Honorable the Legislative Council upon the subject of the Bill entitled, "An Act granting to His Majesty a sum of money to remunerate Allan McNabb, Esquire, Serjeant at Arms, for past services, and to provide a Pension for him during his natural life," beg leave to report, that the

Committee from that Honorable House acquainted Your Committee that they could not concur in that part of the Bill authorising the sum of Two Hundred Pounds for a remuneration to the Serjeant at Arms.

Committee Room,

17th January, 1824. Samuel S. Wilmot, Chairman.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council a message, and having withdrawn the Speaker read the same as follows:

Mr. Speaker,—The Honorable the Legislative Council request a Conference with the Commons House of Assembly, upon the subject matter of the amendments made by that House in and to the Bill entitled, "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada," and have appointed a Committee of two Members who are now ready to meet the Committee of the Commons House of Assembly in the Joint Committee Room.

Legislative Council Chamber,

17th January, 1824. Wm. Dummer Powell, Speaker.

Mr. McLean of Stormont, seconded by Mr. McMartin, moves that Messrs. Hagerman, Nichol, Willson of Wentworth and McDonell be a Committee to confer with the Committee of the Honorable the Legislative Council on the subjects of the amendments made in and to the Bill entitled, "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada." Which was ordered.

Mr. McLean of Stormont, seconded by Mr. Nichol, moves that Messrs. McDonell and McMartin be a Committee directed to acquaint the Honorable the Legislative Council, that this House has appointed a Committee of four of its Members to confer with the Committee of that Honorable House on the subject of the amendments in and to the Bill entitled, "An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada." Which was ordered.

Mr. Wilmot, seconded by Mr. Willson of Wentworth, moves that he have leave to bring in a Bill granting a Pension to the Serjeant at Arms, and the fifth rule of this House be dispensed with as far as relates to the same. Which was granted and the Bill read.

Mr. Wilmot, seconded by Mr. Willson on Wentworth, moves that the Serjeant at Arms' Pension Bill be read a second time this day. Which was carried and the Bill was read the second time.

Mr. Wilmot, seconded by Mr. Willson of Wentworth, moves that the House do now resolve itself into a Committee of the whole on the Serjeant at Arms' Pension Bill. Which was carried and Mr. Randal was called to the Chair of the Committee.

The House resumed. Mr. Randal reported the Bill without amendment. Ordered that the report be received.

Mr. Willson of Wentworth, seconded by Mr. Wilmot, moves that the Serjeant at Arms' Pension Bill be engrossed and read a third time this day. Which was ordered.

Agreeably to the order of the day, the Serjeant at Arms' Pension Bill was read the third time.

Mr. McLean of Stormont, seconded by Mr. Robinson, moves that the Bill do now pass and that it be entitled, "An Act to provide a Pension for Allan McNabb, Esquire, Serjeant at Arms." Which was carried, and the Bill signed.

Mr. McLean of Stormont, seconded by Mr. Robinson, moves that Messrs. Hamilton of Wentworth and McMartin be a Committee to carry up to the Honorable the Legislative Council the Bill entitled, "An Act to provide a Pension for Allan McNabb, Esquire, Serjeant at Arms," and to request their concurrence thereto. Which was ordered.

Mr. Hagerman, from the Committee to wait on His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive the two Houses with their several joint addresses, reported that His Excellency had been pleased to name the Hour of Twelve on Monday next.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council the Bill entitled, "An Act to prohibit Banks from carrying on business in this Province, that do not redeem their notes in specie within the same," which they had passed with an amendment, and to which he was directed to request the concurrence of this House, and having withdrawn the amendment made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to prohibit Banks from carrying on business in this Province that do not redeem their notes in specie within the same," were read as follows:

Press. 1, Line 18. After passed, insert "And be it further enacted by the authority aforesaid, that this Act shall be and continue in force for and during three years, and from thence to the end of the then next ensuing Session of Parliament and no longer."

Mr. Attorney General, seconded by Mr. Robinson, moves that the amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to prohibit Banks from carrying on business in this Province, that do not redeem their notes in specie within the same," be read a second time this day, and that the fifth Rule of this House be dispensed with as far as relates to the same. Which was carried and the amendments were read the second time, concurred in and signed by the Speaker, and are as follows:

Press. 1, Line 18. After passed, insert "And be it further enacted by the authority aforesaid, that this Act shall be and continue in force for and during three years, and from thence to the end of the then next ensuing Session of Parliament and no longer."

Mr. Attorney General, seconded by Mr. McNichol, moves that Messrs. Robinson and McLean be a Committee to inform the Honorable the Legislative Council that this House has concurred in the amendments made by them to the Bill entitled, "An Act to prohibit Banks from carrying on Business in this Province that do not redeem their notes in specie within the same." Which was ordered.

The House then adjourned till ten o'clock on Monday next.

Monday, 19th January, 1824.

The House met. Prayers were read. The minutes of Saturday were read.

Mr. Wilmot, from the Committee to whom were referred the Contingent Accounts of the present Session, informed the House that the Committee had agreed to a report which he was directed to submit for the adoption of the House. Ordered that the report be received, and it was read as follows:

To the Honorable the Commons House of Assembly in Provincial Parliament Assembled. Report of the Select Committee appointed to examine and report upon the Contingent Accounts of the Legislative Council and House of Assembly.

Your Committee have examined the Contingent Accounts of the Legislative Council, which are properly audited by the Speaker of that Honorable House, and amount to the sum of £395 6s. 11½d.

HOUSE OF ASSEMBLY.

These Accounts consist of the Contingencies in the offices of the Clerk and Serjeant at Arms, including an arrear of wages to the Copying Clerks from last Session, the whole amounting to £1,125 16s.

SERJEANT AT ARMS.

Contingencies in this Department, £403 1s. 4½d.

On reference to the accounts of last year it appears that certain Servants of the House received increased allowances, which if admitted by the House as last year, this season, will increase the Contengencies £67 5s.

In examining the Contingencies Your Committee are compelled to remark the heavy expense incurred for the Postage of Letters to and from Members during the Session, which exceeds the charge of last year in the sum of £68 13s. 4d., the total charge of the present Session being £156 4s. 9d.; last year £87 11s. 5d.—£68 13s. 4d.

Your Committee are apprehensive great abuses have taken place under this Order of the House, and they recommend its being rescinded.

Committee Room,
January 19th, 1824. SAM'L S. WILMOT, Chairman.

Mr. Nichol, seconded by Mr. Wilmot, moves that the House do now resolve itself into a Committee of the whole to take the report of the Contingent Expenses of the House into consideration. Which was ordered, and Mr. Robinson was called to the Chair of the Committee.

The House resumed. Mr. Robinson reported progress and asked leave to sit again this day. Ordered that the report be received and leave was granted accordingly.

At twelve o'clock the two Houses waited upon His Excellency the Lieutenant Governor with the several joint addresses of Saturday last, and being returned, Mr. Speaker reported having delivered the same to His Excellency, and that His Excellency had been pleased to make thereto the following replies:

Honorable Gentlemen and Gentlemen,—I shall in compliance with your request, take an early opportunity of forwarding to His Majesty's Principal Secretary of State for the Colonies your joint addresses to the King, and the accompanying report, in order that they may be submitted to His Majesty.

Honorable Gentlemen and Gentlemen,—I will on the earliest occasion take the proper means for causing your joint addresses to His Majesty, relative to the Boundary Line between this Province and the United States of America, to be laid at the foot of the Throne.

Honorable Gentlemen and Gentlemen,—I shall with much pleasure transmit to Earl Bathurst your joint addresses to the King, expressive of your gratitude for His Majesty's benevolent consideration for the sufferers from the late war.

Honorable Gentlemen and Gentlemen,—I shall not fail to transmit to the proper Department of His Majesty's Government your joint address to the King, and your resolutions respecting the Culture of Tobacco in the Western Districts of this Province.

Honorable Gentlemen and Gentlemen,—I shall take an early opportunity of transmitting to His Majesty's Government your joint resolutions, respecting further indemnity to the inhabitants of this Province who suffered by the late war, and I shall lose no time in forwarding the same to His Excellency the Governor in Chief.

The House went again into Committee on the report on Contingent Accounts. Mr. Robinson in the Chair.

The House resumed. Mr. Robinson reported that the Committee had agreed to several resolutions which he was directed to submit for the adoption of the House. Ordered that the report be received and the several resolutions were then put and carried as follows:

Resolved, that there be granted to the Serjeant at Arms to enable him to pay to John Carey the sum of twenty-five pounds to compensate him for continuing the papers to Members for such period beyond the prorogation, as the proceedings of the House of Assembly shall be published therein.

Resolved, that it is the opinion of this House that an humble address be presented to His Excellency the Lieutenant Governor, praying His Excellency to issue his Warrant in favor of John Powell, Esquire, Clerk of the Honorable the Legislative Council for the sum of Two Hundred and Twenty Pounds, Five Shillings and Twopence halfpenny, for certain Contingent Expenses thereof during the present Session.

2nd. In favor of William Lee, Esquire, the Gentleman Usher of the Black Rod, for certain Contingent Expenses of the Honorable the Legislative Council during the present Session for the Sum of One Hundred and Seventy-five Pounds, One Shilling and Ninepence.

3rd. In favor of Grant Powell, Esquire, Clerk of the House of Assembly, to enable him to defray the Contingencies of his office for the Sum of One Thousand One Hundred and Twenty-five Pounds, Sixteen Shillings.

4th. Also in favor of Allan McNabb, Esquire, Deputy Sergeant at Arms, to enable him to discharge sundry Contingent Expenses for the present Session, for the Sum of Four Hundred and Ninety-five Pounds, Six Shillings, and Fourpence Halfpenny.

Mr. Willson of Wentworth, seconded by Mr. Wilmot, moves that Messrs. Nichol and Robinson be a Committee to draft an address to His Excellency the Lieutenant Governor pursuant to the foregoing resolutions. Which was ordered.

Mr. Nichol, from the Committee to draft an address to His Excellency the Lieutenant Governor, pursuant to certain resolutions on the report of Contingent Accounts of the present Session, reported a draft which was received and read the first time.

Mr. Nichol, seconded by Mr. Willson of Wentworth, moves that the fifth Rule be dispensed with so far as relates to the address, and that it be now read a second time. Which was carried and the address was read the second time.

Mr. Nichol, seconded by Mr. Willson of Wentworth, moves that the House do now resolve itself into a Committee of the whole on the Contingent address. Which was carried and Mr. Randal was called to the Chair.

The House resumed. Mr. Randal reported the address without amendment. Ordered that the report be received.

Mr. Nichol, seconded by Mr. Willson of Wentworth, moves that the address to His Excellency the Lieutenant Governor on the Contingent Accounts of the present Session of the Legislature be engrossed and read a third time this day. Which was ordered.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, praying him to issue His Warrants for defraying the Contingent Expenses of the Session, was read the third time, passed and signed by the Speaker as follows:

To His Excellency Sir Peregrine Maitland, Knight Commander of The Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces within the same, etc.

May it please Your Excellency,—We His Majesty's Dutiful and Loyal Subjects the Commons of Upper Canada in Provincial Parliament Assembled, beg leave to request that Your Excellency will be pleased to issue Your Warrant to the Receiver General of this Province, in favor of John Powell, Esquire, Clerk of the Honorable the Legislative Council, for the Sum of Two Hundred and Twenty Pounds, Five Shillings and Twopence Halfpenny, for certain Contingent Expenses thereof during the present Session.

Also in favor of William Lee, Esquire, Gentleman Usher of the Black Rod, for certain Contingent Expenses of the Honorable the Legislative Council during the present Session, the Sum of One Hundred and Seventy-five Pounds, One Shilling and Ninepence.

Also in favor of Grant Powell, Esquire, Clerk of the House of Assembly, to enable him to pay the Contingencies of his office for the present Session, and also to enable him to carry into effect the Orders of this House, the Sum of One Thousand One Hundred and Twenty-five Pounds, Sixteen Shillings.

Also in favor of Allan McNabb, Esquire, Deputy Serjeant at Arms, to enable him to discharge Sundry Contingent Expenses for the present Session, the sum of Four Hundred and Ninety-five Pounds, Six Shillings and Fourpence Halfpenny.

Which sums His Majesty's Faithful Commons will make good during the next Session of the Provincial Legislature.

Commons House of Assembly,

19th January, 1824. Levius P. Sherwood, Speaker.

Mr. Nichol, seconded by Mr. Clark, moves that Messrs. McMartin and Chisholm be a Committee to wait on His Excellency the Lieutenant Governor, to know when His Excellency will be pleased to receive the address of this House, praying His Excellency to issue His Warrants on the Receiver General of this Province for certain sums of money therein mentioned, and to present the same. Which was ordered.

Mr. Nichol, seconded by Mr. Wilmot, moves that it be resolved, that the resolution of the House of Assembly authorizing the payment of Postage on Letters addressed to and sent by Members be rescinded. Which was carried.

Mr. McMartin, from the Committee to wait on His Excellency the Lieutenant Governor with the Contingent Address reported delivering the same, and that His Excellency had been pleased to make thereto the following reply.

Gentlemen of the House of Assembly,—I shall direct the necessary Warrants to be prepared in compliance with your address.

At half past two o'clock p.m., Mr. Lee, Gentleman Usher of the Black Rod, came to the Bar, and delivered the commands of His Excellency the Lieutenant Governor for the immediate attendance of this House at the Bar of the Honorable the Legislative Council Chamber, and having withdrawn the Speaker and the House forthwith proceeded to the Bar of the Honorable the Legislative Council Chamber, where His Excellency the Lieutenant Governor was pleased to give the Assent in His Majesty's name to the following Bills:

"An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled, 'An Act to provide for the erection of a Gaol and Court House in and for the Home District.'"

"An Act to repeal an Ordinance of the late Province of Quebec, made in the Twenty-eighth year of his late Majesty's reign, entitled, 'An Ordinance for Promoting the Inland Navigation.'"

"An Act to reduce into one Act the several Statutes of this Province respecting the Election of Members of the House of Assembly, and the qualification of Voters and Candidates at such Elections; and also to provide against fraud and obtaining qualifications to vote at Elections."

"An Act for the relief of Hiram Spafford."

"An Act to divide the County of Carleton, in the Bathurst District."

"An Act to compensate the Services of the Commissioners of Customs."

"An Act to prohibit Banks from carrying on business in this Province that do not redeem their Notes in Specie within the same."

"An Act to repeal part of an Act passed in the forty-fourth year of His late Majesty's reign, entitled, 'An Act to promulgate the Provincial Statutes, and also to repeal so much of an Act passed in the forty-first year of the reign of his present Majesty as relates to printing the journals,' and to provide more adequate remuneration for printing annually the Statutes of this Province."

"An Act further to continue an Act passed in the thirty-third year of his late Majesty's reign, entitled, 'An Act to provide for the appointment of Returning Officers of the several Counties within this Province.'"

"An Act for the relief of John Putman Clement."

"An Act to authorize the Governor, Lieutenant Governor, or Person administering the Government of this Province to treat with the holder of any Government Debenture heretofore issued, for postponing the period of payment of the same, and to authorize the Loan of a further sum upon the security therein mentioned to be applied toward the service of the present year."

"An Act to amend and make perpetual an Act passed in the fifty-ninth year of his late Majesty's reign, entitled, 'An Act to repeal part of and amend the Laws now in force for laying out, amending, and keeping in repair the Public Highways and Roads in this Province,' and also to amend an Act passed in the fiftieth year of his late Majesty's reign, entitled, 'An Act to provide for the laying out, amending, and keeping in repair, the Public Highways and Roads in this Province,' and to repeal the Laws now in force for that purpose."

"An Act further to regulate by Law, the Commercial intercourse of the Province of Upper Canada with the United States of America."

"An Act to repeal part of, continue and amend the Laws now in force imposing a Duty on Licenses to Innkeepers within this Province."

"An Act to incorporate certain persons therein mentioned under the Style and Title of the Welland Canal Company."

"An Act to repeal part of and amend an Act passed in the fiftieth year of his late Majesty's reign, entitled, 'An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the Laws now in force for that purpose," and also to repeal part of and amend the provisions of an Act passed in the fifty-ninth year of his late Majesty's reign, entitled, "An Act to repeal part of and amend the Laws now in force for laying out, amending, and keeping in repair the Public Highways and Roads in this Province."

"An Act to authorize James Miles to convey to Trustees a Lot of Land for the purposes therein mentioned."

"An Act to repeal an Act passed in the forty-first year of his late Majesty's

reign, entitled, 'An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province . . . the like Duties on Goods and Merchandise brought into this Province from the United States of America, as are now paid on Goods and Merchandise imported from Great Britain and other places,' and also an Act passed in the forty-third year of his late Majesty's reign, entitled, 'An Act to explain and amend an Act passed in the forty-first year of his Majesty's reign, entitled, "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like Duties on Goods and Merchandise brought into this Province from the United States of America, as are now paid on Goods and Merchandise imported from Great Britain and other places," and to provide more effectually for the collection and payment of Duties on Goods and Merchandise coming from the United States of America into this Province, and also to establish a fund for the erection and repairing of Light Houses," and to make more effectual provision for the due collection of Duties on Goods imported into this Province."

"An Act for granting to his Majesty a sum of money in aid of the Funds for defraying the Expenses of the Administration of Justice, and support of the Civil Government of this Province."

"An Act for granting to his Majesty a sum of money for the purposes therein mentioned."

"An Act for the relief of James Carrol."

"An Act to repeal part of the second clause of an Act passed in the thirty-third year of his late Majesty's reign, entitled, 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province,' and to make more effectual provision for obtaining an accurate Census of the Population of this Province."

"An Act to enable the Presbyterian Congregation of York to purchase one or more parcels of Ground, sufficient for the erection of a Church and Burying Ground."

"An Act to authorize the Justices of the Peace in the Midland District to loan a further sum of money for the purposes therein mentioned."

"An Act to enable the Justices of the Peace of the District of Johnstown to erect a new Jail and Court House or repair the old one, and to erect new Bridges over Yonge and Irish Creek."

"An Act to repeal an Act passed in the forty-fifth year of his late Majesty's reign, entitled, 'An Act to regulate the trial of Controverted Elections or Returns of Members to serve in the House of Assembly,' and to make more effectual provision for such trials."

"An Act to continue for a limited time an Act passed in the second year of his Majesty's reign, entitled, 'An Act to make provision for the improvement of the Internal Navigation of this Province,' as amended by an Act passed in the third year of his Majesty's reign, entitled, 'An Act to amend and extend the provisions of an Act passed in the second year of His Majesty's reign, entitled, "An Act to make provision for the improvement of the Internal Navigation of this Province (except so much thereof as is hereby repealed) and to grant a further sum of money for such improvement.' "

"An Act granting to his Majesty a sum of money to enable his Majesty to compensate the services of the Arbitrator appointed under the Act of the Imperial Parliament, passed in the third year of his Majesty's reign, entitled, 'An Act to regulate the Trade of the Provinces of Lower and Upper Canada and for other pur-

poses relating to the said Provinces," and also to compensate the Secretary who accompanied the said Arbitrator during the several negotiations in Lower Canada."

"An Act to alter the times of holding the Terms of Hilary and Michaelmas."

"An Act to continue and amend an Act passed in the fifty-eighth year of his late Majesty's reign, entitled, 'An Act to continue the Law now in force for granting an additional Duty on Shop Licenses,' and to require persons selling Spirituous Liquors by wholesale, to take out a License for that purpose."

"An Act to make permanent and extend the provisions of the Laws now in force for the establishment and regulation of Common Schools throughout this Province, and for granting to his Majesty a further sum of money to promote and encourage education within the same."

"An Act to increase the Salary of the Assistant Adjutant General of Militia."

" An Act to amend and extend the provisions of an Act passed at the last Session of Parliament, entitled, 'An Act to provide for constructing a Navigable Canal between Burlington Bay and Lake Ontario.' "

"An Act to make good certain Monies advanced by his Majesty pursuant to the Address of the House of Assembly at the last Session of Parliament to His Excellency the Lieutenant Governor."

"An Act to make more ample provision for regulating the Police of the Town of Kingston."

"An Act to sanction and make valid an Agreement made at Montreal on the fifth of August, 1823, by the Arbitrators appointed for Upper and Lower Canada, under the authority of an Act of the Parliament of Great Britain passed in the third day of his Majesty's reign, entitled, 'An Act to regulate the Trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces; for obtaining a survey of the River Saint Lawrence, and for the appointment of Commissioners for that purpose."

"An Act to repeal part of an Act passed in the last Session of Parliament entitled 'An Act vesting in the hands of certain Commissioners therein named all the Stock, Debts, Bonds and Property of the Pretended Bank of Upper Canada, lately established at Kingston, for the benefit of the Creditors of that Institution, and to make further provision for settling the affairs of the said pretended Bank."

And was pleased to reserve the Bill entitled,

"An Act to amend and make permanent a certain Act of the Parliament of this Province passed in the fifty-ninth year of the reign of his late Majesty King George the Third, entitled, 'An Act to repeal the several Laws now in force relative to levying and collecting Rates and Assessments in this Province, and further to provide for the more equal and general assessment of lands and other ratable property throughout this Province,' and to render more effectual the several laws of this Province imposing Rates and Assessments by providing under certain restrictions for the levying such Rates and Assessments by the sale of a portion of the Lands on which the same are charged,' for the signification of his Majesty's pleasure thereon.

His Excellency was then pleased to address the two Houses with the following Most Gracious Speech:

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly,—The conclusion of the Public business which is now disposed of by your unremitted attention enables me to dispense with your further attendance in Provincial Parliament, but I cannot put an end to this Session, without assuring you how fully sensible I am of the judgment and temper which have governed your Councils, and given efficacy to your various and extensive labors.

The united representations which you have addressed to your Sovereign on matters of no ordinary importance to the interests of your country, afford a gratifying proof of your cordial and zealous co-operation in the prosecution of your Legislative Duties.

You are sufficiently aware that the measure of success which may attend your petitions must be governed by a view of various and perhaps conflicting interests, but it will be no less agreeable to your Sovereign than it must be satisfactory to the people of this Province, to observe the vigilant attention with which you have regarded every question that can affect the welfare or security of your country.

Gentlemen of the House of Assembly,—I thank you, in His Majesty's name, for the supplies which you have granted me for the ordinary exigencies of the year, and for the prudence that you have manifested in guarding against temporary inconvenience to the Public Service, by authorizing a loan, in anticipation of the payments expected from Quebec. And you may be assured that the repeated testimonies which I have received of your confidence and support, shall continue to be met on my part with a disposition to justify your reliance, by a regular and economical administration of the Revenue.

Honorable Gentlemen and Gentlemen,—I am happy to concur with you in affording countenance and support to the first efforts of a spirit of enterprise which has been directed to the improvement of our internal navigation, and which affords the most pleasing and convincing proof of increasing intelligence and wealth.

The measures by which you propose to render effectual the Acts formerly passed for subjecting all the granted land in this Province to a moderate but indiscriminating assessment, have the decided concurrence of my own judgment, and I have reason to believe they will be found perfectly to accord with the opinion of His Majesty's Government.

Fully convinced of the necessity of some measure to counteract the evils occasioned by unoccupied and neglected lands, and acceding entirely to the principle of the provisions which you have proposed, I have every hope that the reference for His Majesty's consideration, which has appeared to me proper, will result in the declaration of the Royal assent.

The provisions you have made for the better collecting of the Revenue, and for obtaining a more accurate census of the population will, I trust, be found effectual.

I entertain an ardent hope that under the protection of Divine Providence, the permanent support which you have contributed in your Amendments of the Common School Act, to the cause of religious instruction, and the general dissemination of knowledge, will be productive of the happiest effects—such objects the wisest and most virtuous will best appreciate, and the attention you have given to them will confer lasting honor on yourselves.

I cannot refrain from adverting to the present tranquil and happy state of this Province, and pointing out to your observation how materially that harmony and public spirit which have prevailed in the Councils of the Legislature have led to a mutual confidence between the Government and the people, and produced a highly favorable influence both on the general prosperity and on the contentment and happiness of private life.

You will know how greatly individual security, comfort and convenience, as well as the whole interior order and economy of a country depend on the just fulfilment of those ordinary duties which the Law requires, and I am persuaded that in your respective counties you will be desirous to impress truths so im-

portant upon the minds of those who look up to your example, or are influenced by your advice.

After which the Honorable the Speaker of the Legislative Council declared that it was His Excellency's pleasure that this Parliament should be prorogued to Monday, the first day of March next, and declared the Parliament prorogued to the said first day of March, to be then and here holden.

A true copy.—G. POWELL, C.A.

APPENDIX I

TO THE

JOURNALS

OF THE

HOUSE OF ASSEMBLY

OF

UPPER CANADA

1823

APPENDIX I

TO THE

JOURNALS

OF THE

HOUSE OF ASSEMBLY

OF

UPPER CANADA

1823.

INSPECTOR GENERAL'S OFFICE.

THE GOVERNMENT OF UPPER CANADA.

To JAMES BABY, Esquire, Inspector General of Public Provincial Accounts. Dr.
For the Ordinary and Incidental expenses of his office, for the half year, from 1st July to 31st December, 1822, inclusive.

Vouchers,		Sterling.
1	To allowance for the first Clerk for the above period	£91 5 0
2	To allowance for second Clerk for the above period	75 0 0
3	To allowance for office rent for the above period	18 0 0
4	To allowance for fire wood, 13¼ cords at 9s.	5 19 3
5	To paid William Allan, Esquire, Post Master at York, for postage of public letters to and from the office during the above period	13 2 2½
		£203 6 5½

Examined, J. SCARLET,
Acting Inspector General.

Ditto from 1st January to 30th June, 1823.

Vouchers.		Sterling.
1	To allowance for the first Clerk for the above period	£91 5 0
2	To allowance for the second Clerk for the above period ..	75 0 0
3	To allowance for firewood, 13¼ cords at 7s. 10½d. per cord	5 4 4
4	To allowance for Office rent for the above period	18 0 0
5	To cash paid to P. M'Phail for binding Books for use of said office, authorized by His Excellency the Lieutenant Governor, dated 30th June, 1821, £4 10s. 0d. currency ...	4 1 0
6	To cash paid William Allan, Esquire, Post Master at York, for postage of public letters to and from the said office during the above period	16 4 0½
	Total	£209 14 9½
		or
	Currency	£233 0 10½

True Copy.

J. BABY,
Inspector General.

Lieutenant Governor's Office.

UPPER CANADA.

Debtor Government to GEORGE HILLIER, Esquire, Secretary to His Excellency the Lieutenant Governor for the Ordinary and Incidental expenses of the Government office for the half year, from 1st July to 31st December, 1822, inclusive.

No of Vouchers.	To whom paid, and for what.	Canada Curry. Dollar at 5s.
1	To the Revd. John Strachan for rent of the house occupied as the Government office	£20 0 0
2	To Isaac Pilkington as office messenger	25 0 0
3	to Isaac Pilkington as office keeper	10 0 0
4	To William Allan, Post Master at York, for postage	117 16 2½
5	To Thomas Dickson, for disbursements by him for postage and ferriage of letters to and from the Government office, passing through the United States	28 15 11
6	To William D. Forest, for furnishing and express to the Sheriff of the Western District, on the public business	12 10 0
7	To Thomas William Moore, Agent for British Packets at New York, for postage of letters to and from the Secretary of State's office, from and to the Government office	17 0 0
8	To Charles Fothergill, Government printer, for printing	11 0 10½
9	To James Givens, for 30 cords of fire wood	18 15 0
10	To Edward M'Mahon, for sundry disbursements on account of said office	5 17 6
11	To Isaac Pilkington for sundry disbursements on account of said office	2 13 1½
		£269 28 7½

Examined, J. SCARLET,
Acting Inspector General.

Ditto from 1st January to 30th June, 1823.

Vouchers.		Currency.
1	For office rent, as per voucher	£20 0 0
2	To the messenger and keeper of the office, his half year's allowance as per voucher	3 0 0
3	To the Post Master at York for postage as per voucher	120 19 2½
4	To Edward M'Mahon for sundry disbursements by him on account of said office	26 3 6
5	To James Givens for copying sundry documents to be laid before the Legislature during the last session, as per voucher	10 0 0
6	To the Government printer for printing done for said office, as per voucher	9 1 1½
7	To Thomas Dickson to reimburse him so much paid for American postage on public letters, to and from the Government office, passing through New York, as per voucher	33 7 3½
	Total	£255 1 1½

A true copy.

J. BABY,
Inspector General.

Ditto for disbursements for repairs and work done in and upon the Government House and premises, etc., for half year ended the 30th June, 1823.

Vouchers.				
1	To John Ewart, builder, for repairs, etc.	£31	14	3¾
2	To Philip Clinger, blacksmith, for work done, etc	7	16	1½
3	For laborers' work, as per voucher	13	15	7½
4	For two Franklin stoves, as per voucher	16	10	0
	Total	£69	16	0¾

REGISTER'S OFFICE.

THE GOVERNMENT,

To DUNCAN CAMERON, Register of the Province of Upper Canada for fees on divers public instruments and the allowance for a Clerk, from the 1st day of July to the 31st day of December, 1822, inclusive.

1822	Provincial Currency	£	s.	d.
July 13.	To registering 9 commissions of Oyer and Terminer, 1,100 words	4	19	0
	To registering 9 commissions of assize and nisi prius, 360 words	1	11	6
	To registering a commission of dedimus potestatem, 300 words		3	0
	To registering a commission of the peace, district of Johnstown, 1,750 words		17	6
Aug. 6.	To registering a proclamation proroguing the provincial legislature to 13th September, 1822, 300 words		3	0
Sept. 1.	To entering on the margin of the registry, the surrender of the patent to Sarah Fanning for 200 acres, Blenheim		1	0
	Search 2s. 6d., certificate 5s.		7	6
	To entering on the margin of the registry the surrender of the patent to Samuel Stephenson for 200 acres, Trafalgar		8	6
	To registering the patent to Aaron Constack for 200 acres, Yonge		8	6
	To registering the patent to Levi Constack for 100 acres Yonge		8	6
	To registering the patent to Thomas Barton for 100 acres, Augusta		8	6
	To registering the patent to Hugh M'Nish for 100 acres, Elizabethtown		8	6
	To registering the patent to James M'Donell for 200 acres, Hamilton		8	6
Sept. 12.	To registering a proclamation proroguing the provincial legislature to 18th October, 300 words		3	0
Oct. 13.	To registering a proclamation proroguing the provincial Legislature to 27th November, 300 words		3	0
	To registering a patent of pardon to Joseph Nash, 525 words		5	3

Nov. 13.	To registering a proclamation declaring the County of Carleton a separate District (Bathurst), 500 words	5	0	
Nov. 20.	To registering a proclamation proroguing the Provincial Legislature to 24th December, 300 words	3	0	
Nov. 27.	To registering a commission of the peace, District of Bathurst, 1,500 words	15	0	
	To registering a dedimus potestatem for District of Bathurst, 300 words	3	0	
Nov. 5.	To registering a dedimus potestatem for District of Johnstown, 300 words	3	0	
	To registering a proclamation convening the provincial legislature on 15th January, 300 words	3	0	
Nov. 31.	To allowance for a clerk from 1st July, 1822	83	6	8
Dec. 24.	To amount paid John Leslie for paper, as per account	15	16	0
Dec. 24.	To amount paid Charles Fothergill for printing books, as per account	12	7	6
	To amount paid Peter M'Phail for binding books, as per account	15	15	0
	Total provincial currency	£43	18	6

E. E.

Examined, J. SCARLET,
Acting Inspector General.

Ditto as Secretary of the Province of Upper Canada, for fees on divers public instruments and the allowance for an office servant and fuel from the 1st day of July to the 31st day of December, 1822, inclusive, Dr.

Provincial Currency.

July 19.	To fees on 9 commissions of Assize and nisi prius at 23s. 4d.	£10	10	0
	Engrossing the same .....words 360	1	11	6
	To fees on 9 Commissioners of Oyer and Terminer at 23s. 4d.	10	10	0
	Engrossing 1,100	4	19	0
	To fees on a dedimus potestatem (Great Seal)	1	3	4
	Engrossing 300	0	3	0
July 23.	To fees on a commission of the peace, District of Johnstown	1	3	4
	Engrossing 1,760	0	17	6
Aug. 31.	To fees on a proclamation proroguing the provincial legislature, to 13th September	1	3	4
	Engrossing and Printer's copy 300	0	6	0
Sept. 12.	To fees on a proclamation proroguing the provincial legislature, to 18th October.....	1	3	4
	Engrossing and Printer's copy 300	0	6	0
Oct. 13.	To fees on a proclamation proroguing the provincial legislature, to 27th November	1	3	4
	Engrossing and Printer's copy 300	0	6	0
	To fees on a patent of pardon to Joseph Nash	1	3	4
	Engrossing do. 525	0	5	3
Nov. 13.	To fees on a proclamation declaring the County of Carleton a separate District (Bathurst)	1	3	4
	Engrossing and Printer's copy 500	0	10	0

Nov. 20.	To fees on a proclamation proroguing the provincial legislature, to 24th December		1	3 4
	Engrossing and Printer's copy	300	0	6 0
Nov. 27.	To fees on a commission of the peace, district of Bathurst		1	3 4
	Engrossing	1,500	0	15 0
	To fees on a dedimus potestatem for district of Bathurst		1	3 4
	Engrossing	300	0	3 0
Dec. 4.	To furnishing the Lieutenant Governor's Office with a certified copy of the proclamation by Lieutenant Governor Simcoe, for the division of the Province into Counties		1	15 0
	Official certificate		0	5 0
	To fees on a dedimus potestatem district of Johnstown		1	3 4
	Engrossing	300	0	3 0
Dec. 6.	To fees on a proclamation convening the provincial legislature on the 15th January		1	3 4
	Engrossing and Printer's copy	300	0	6 0
Dec. 31.	To allowance for fuel from 1st January, being 18 cords at 11s. 3d.		10	2 6
	To allowance for office servant from 1st January		50	0 0
	Total provincial currency		£107	19 9

E. E.

Examined, J. SCARLET,
Acting Inspector General.

Ditto from 1st January to 30th June, 1823.

1823.				
Jan. 4.	To fees on a commission appointing the Honorable James Baby Arbitrator on the part of Upper Canada		£1	3 4
	Engrossing	words 1,000	0	10 0
Feb. 1.	To fees on a commission of Oyer and Terminer, Home district		1	3 4
	Engrossing	1,100	0	11 0
	To fees on a commission of Assize and nisi prius		1	3 4
	Engrossing	360	0	3 6
Feb. 20.	To fees on a Proclamation promulgating the Royal assent to the Tythe Bill		1	3 4
	Engrossing and Printer's copy	1,275	1	5 6
	Official certificate to the Tythe Bill		0	5 0
	Furnishing the printer with a copy of the Tythe Bill		0	1 6
Feb. 28.	To fees on a patent of pardon to Richard Jeffers		1	3 4
	Engrossing	350	0	3 6
	To fees on a patent of pardon to Thomas Smith		1	3 4
	Engrossing	350	0	3 6
Mar. 6.	To fees on a writ of Election for the county of Lenox and Addington		1	3 4
	To fees on a dedimus potestatem for ditto, Great Seal		1	3 4
	To fees on a commission of the peace, Home District		1	3 4
	Engrossing	1,500	0	15 0
Mar. 19.	To 38 official certificates of the Royal assent to the Acts passed the last Session, at 5s.		9	10 0
	To 3 ditto of Bills reserved at 5s.		0	15 0

Mar. 31.	To furnishing the Lieutenant Governor's office with an engrossed copy of the Bills passed and reserved to be sent to England 32,430	16	4	0
	To 41 official certificates of their being true copies at 5s...	10	5	0
	Schedule of the titles 1,860	0	18	6
	Affixing the great Seal	1	3	4
	Stationary, 72 presses of Parchment at 2s.	7	4	0
	To furnishing the printer with an engrossed copy of the bills passed for publication 28,400	14	4	0
April 11.	To furnishing the Lieutenant Governor's office with a certified copy, engrossed, of the Commissioners of Claims' Appointment Bill 1,260	0	12	6
	Official certificate	0	5	0
	To do. with certified engrossed copies of three reserved bills 4,040	2	0	6
	To three official certificates, at 5s.	0	15	0
	To fees on a proclamation proroguing the provincial legislature to the 21st May	1	3	4
	Engrossing and Printer's copy .....each 300	0	6	0
May 9.	To fees on commission of the peace, district of Niagara ..	1	3	4
	Engrossing 1,500	0	15	0
May 14.	To fees on a commission appointing the Honorable Joseph Wells and others, commissioners of claims	1	3	4
	Engrossing 650	0	6	6
	To fees on a proclamation proroguing the provincial legislature to 23rd of June	1	3	4
	Engrossing and Printer's copy .....each 300	0	6	0
	To fees on a proclamation proroguing the provincial legislature to 24th July	1	3	4
	Engrossing and Printer's copy	0	6	0
	To half a year's allowance for an office servant	25	0	0
	Total	£111	1	6
	Deduct 1s. for 100 words mistold	0	1	0
		£111	0	6

A true copy.

J. BABY,
Inspector General.

Ditto from 1st January to 30th June, 1823.

1823.				
Jan. 4.	To registering a commission appointing the Honorable James Baby arbitrator on the part of Upper Canada..	£	10	0
Feb. 1.	To ditto commission of oyer and terminer for the Home district		11	0
	To ditto commission of assize and nisi prius		3	6
Feb. 20.	To do. proclamation promulgating the Royal assent to the Tythe Bill		12	9
Feb. 28.	To ditto a patent of pardon to Richard Jeffers		3	6
	To ditto a patent of pardon to Thomas Smith		3	6
Mar. 6.	To ditto commission of the peace for the Home district ..		15	0
	To ditto writ of election for the counties of Lenox and Addington		6	0
	To ditto warrant to the returning officer		5	0
	To ditto a dedimus potestatem		3	0

April 11.	To ditto a proclamation proroguing legislature to 21st May		3	0
May 9.	To ditto a commission of the peace for district of Niagara		15	0
May 14.	To ditto commission appointing Honorable J. Wells and others commissioners of claims		6	6
	To ditto proroguing provincial legislature to the 23rd June		3	0
June 18.	To ditto proroguing provincial legislature to the 24th July		3	0
June 30.	To half a year's allowance for a Clerk	83	6	8
	Total	£88	10	5

A true copy.

J. BABY,
Inspector General.

CROWN OFFICE.

The Government of the Province of Upper Canada, Dr.
To JOHN SMALL, Esquire, Clerk of the Crown and of Common pleas, between the 1st of July and the 31st of December, 1822.

CONTINGENT ACCOUNT.

1822.		Sterling Dollar at 4s. 6d.		
Jan. 28.	The King against Richard Warffe, filing return ven exponas 2s., the writ issued against his lands 7s.	£	9	0
	The King against John Bostwick, filing returned extent 2s. returned commission 2s. and two inquisitions returned 4s.		8	0
Nov. 25.	To amount paid William Jackes fitting up boxes for the security of records, etc., in the crown office, £5 16s. 0d. currency is		5	4 4¾

1822.

Dec. 20. To drawing out copies of estreats of recognizances as forfeited to the King, delivering the same to H. J. Boulton, Esq., Solicitor General, as per his receipt of 20th December, 1822.

Viz: from the Eastern district.....	No.	103	5s.
do		104	5s.
do		105	5s.
Home district		106	5s.
Johnstown district		107	5s.
do		108	5s.
do		109	5s.
do		110	5s.
do		111	5s.
do		112	5s.
do		113	5s.
Newcastle district		114	5s.
do		115	5s.
do		116	5s.

	London district	117	5s.		
	do	118	5s.		
	do	119	5s.		
	do	120	5s.		
	do	121	5s.		
	do	122	5s.	5	0 0
	To making up record of proceedings of the court of oyer and terminer, etc., held at Sandwich, in and for the Western district, in August, 1822.....			1	10 0
	To making up ditto of ditto at Charlottville, in and for the London district, in August, 1822.....			1	10 0
	To making up ditto of ditto at Hamilton, in and for the Gore district, in September, 1822			1	10 0
	To making up ditto of ditto at Newcastle in and for the Newcastle district, in August, 1822.....			1	10 0
	To making up ditto of ditto at Niagara, in and for the Niagara district, in September, 1822.....			1	10 0
	To making up ditto of ditto at Brockville, in and for the Johnstown district, in August, 1822			1	10 0
	To making up ditto of ditto at Cornwall, in and for the Eastern district, in September, 1822.....			1	10 0
	To making up ditto of ditto at Kingston, in and for the Midland district, in September, 1822.....			1	10 0
	To making up ditto of ditto at York, in and for the Home district, in October, 1822.....			1	10 0
Dec. 31.	To an allowance for the rent of an office from the 1st July to the 31st December, 1822			18	0 0
	Sterling			£42	11 4¾
	Deduct 10s. on estreats being charged sterling in place of currency			0	10 0
	Sterling			£42	1 4¾

Examined, J. SCARLET,
Acting Inspector General.

Ditto from 1st January to 30th June, 1823.

1823.					
Jan. 31.	To drawing out copies of Estreats of recognizances as forfeited to the King and delivering the same to H. J. Boulton, Esquire, Solicitor General, as per his receipt.				
	From the Eastern District	No. 123	5s.		
	do	124	5s.		
	do	125	5s.		
	do	126	5s.		
	do	127	5s.		
	do	128	5s.		
	do	129	5s.		
	do.	130	5s.		
	do	131	5s.		
	do	132	5s.		
	do	133	5s.		
	do	134	5s.		
	Currency £3 0s.			2	14 0

Mar. 6.	To making up record of proceedings of the court of Oyer and Terminer, etc., held at York in and for the Home District in 1823			1 10 0
June 30.	To an allowance for the rent of an office from 1st January to the 30th June, 1823			18 0 0
	To amount paid Wm. Jakes for counter, tables and recesses with sliding doors and shelves for the holding and better securing of the criminal and civil records and papers of His Majesty's Court of King's Bench	£9 11 0		
	To a cast iron stove with pan and pipes for use of said office	10 0 0		
		£19 11 0		17 11 10¾
		Sterling		£39 15 10¾

£44 4s. 3¾d. Currency.

A true copy.

J. BABY,
Inspector General.

SURVEYOR GENERAL'S OFFICE.

Dr. Government to THOMAS RIDOUT, Esquire, Surveyor General of Upper Canada in account from 1st July to 31st December, 1822, inclusive.

	No. of Vouchers.	Provincial Currency.	
To Mr. John Radenhurst, Junior Clerk, his salary from 1st July to 31st December, 1822, inclusive	1	£0 0 0	£75 0 0
To Mr. Bernard Turquand, Junior Clerk, his salary from ditto to ditto	2	0 0 0	62 10 0
To Mr. James G. Chewett, assistant draftsman, his salary from ditto to ditto	3	0 0 0	75 0 0
To Mr. Joseph Spragg, extra clerk, his salary from ditto to ditto	4	0 0 0	62 10 0
To usual allowance for office servant:			
William Nixon, his pay from 1st July to 31st December, 1822, inclusive, at 1s. 6d. per day	5	13 16 0	25 6 0
To usual allowance for ration ditto time		11 10 0	25 6 0
To firewood expended in the office and drawing-room, from 1st July to the 31st December, 1822	6	0 0 0	11 5 0
To candles ditto in ditto. do. time	7	0 0 0	0 12 6
To postage of public letters ditto time	8	0 0 0	6 13 1
To Mr. Charles Fothergill, his account for printing blank descriptions and location tickets, and for advertising surveys charged herein, pursuant to authority of His Excellency Sir P. Maitland, K.C.B., Lieutenant Governor, dated 31st December, 1822	9	0 0 0	6 6 2

To John Ewart for sundry repairs done and articles furnished to the office between the 1st July and the 31st December, 1822, per account charged herein by authority of H. E. Sir P. Maitland, K.C.B., Lieutenant Governor, dated do.	10	2 17 0	4 12 10½	
To Philip Clinger (blacksmith) for putting up stoves and sundry repairs done to the office between do. and do. per his account charged herein, pursuant to authority above mentioned	11	1 15 10½		
				£329 15 7½

Examined, J. SCARLET,
Acting Inspector General.

Ditto from 1st January to the 30th June, 1823.

	No. of Vouchers.	Provincial Currency.	
To Mr. John Radenhurst, junior clerk, his salary from 1st January to 30th June, 1823, inclusive	1	£0 0 0	£75 0 0
To Mr. Bernard Turquand, junior clerk, his salary from ditto to ditto	2	0 0 0	62 10 0
To Mr. James G. Chewett, assistant draftsman, his salary from ditto to ditto	3	0 0 0	75 0 0
To Mr. Joseph B. Spragg, extra clerk, his salary from ditto to ditto	4	0 0 0	62 10 0
To Usual allowance for office servant:			
William Nixon, his pay from 1st January to 30th June, 1823, at 1s. 6d. per day	5	13 11 6	
To usual allowance for ration do. time, 1s. 3d. per day		11 6 3	24 17 9
To Firewood expended in the office and drawing-room, from 1st January to 30th June, 1823	6	0 0 0	11 5 0
To Candles ditto. in ditto. do. time	7	0 0 0	0 12 6
To postage of public letters to and from the said office, during the above period	8	0 0 0	5 5 0
To Mr. Charles Fothergill, his account for printing blank descriptions charged herein, pursuant to authority of His Excellency Sir P. Maitland, dated 30th June, 1823	9	0 0 0	2 0 0
To Mr. Peter M'Phail, his account for half-binding and lettering books for use of said office charged herein, pursuant to authority of His Excellency Sir P. Maitland, dated 7th May, 1823	10	0 0 0	4 11 0

To John Ewart for sundry repairs done and articles furnished to the office between the 1st January and this day, as per his account, under authority of His Excellency Sir P. Maitland, dated 30th June, 1823	11	0 0 0	2 12 1	
				£326 3 4

A true copy.

J. BABY,
Inspector General.

SOLICITOR GENERAL'S OFFICE.

The Government of Upper Canada.

To HENRY JOHN BOULTON, Esquire, Solicitor General. Dr.

NEWCASTLE DISTRICT ASSIZES, 1822.

	Currency.	
The King vs. Patrick Costley, Larceny, Drawing Indictment	£2 5 0	
Conducting cause to Judgment	5 16 8	
		£8 1 8
The King vs. Farrar, Escape, Drawing Indictment	2 5 0	
		2 5 0
The King vs. Fouke, et al, Misdemeanor, Drawing Indictment	2 5 0	
		2 5 0

JOHNSTOWN DISTRICT ASSIZES, 1822.

The King vs. Knox, et al, Arson, Drawing Indictment ..	2 5 0	
Conducting cause to Judgment	5 16 8	
		8 1 8
The King vs. P. Mattison, Horse Stealing, Drawing Indictment	2 5 0	
Conducting cause to Judgment	5 16 8	
		8 1 8
The King vs. Thomas Cutler, et al, Misdemeanor, Drawing Indictment	2 5 0	
Conducting cause to judgment	5 16 8	
		8 1 8
The King vs. T. Philipson, Sedition, Drawing Indictment	2 5 0	
Conducting cause to judgment	5 16 8	
		8 1 8
The King vs. O'Balcom, Larceny, Drawing Indictment..	2 5 0	
		2 5 0
The King vs. Same, Larceny, Drawing Indictment	2 5 0	
Conducting cause to judgment	5 16 8	
		8 1 8
The King vs. Eaton, Perjury, Drawing Indictment	2 5 0	
		2 5 0

EASTERN DISTRICT ASSIZES.

The King vs. James Hunt, Horse Stealing, Drawing Indictment	2 5 0	
		2 5 0

The King vs. James Hunt, Horse Stealing, Drawing Indictment	2	5	0		
Conducting cause to judgment	5	16	8		
				8	1 8
The King vs. D. Sullivan, Horse Stealing, Drawing Indictment	2	5	0		
Conducting cause to judgment	5	16	8		
				8	1 8
The King vs. John Diffey, Larceny, Drawing Indictment	2	5	0		
Conducting cause to judgment	5	16	8		
				8	1 8
The Kings vs. J. Green, Larceny, Drawing Indictment ..	2	5	0		
Conducting cause to judgment	5	16	8		
				8	1 8

MIDLAND DISTRICT ASSIZES.

The King vs. Peter Vancott, Manslaughter, Drawing Indictment	2	5	0		
				2	5 0
The Kings vs. Thomas Staples, Misdemeanor, Drawing Indictment	2	5	0		
Conducting cause to judgment	5	16	8		
				8	1 8
The King vs. Mary Losee, Misdemeanor, Drawing Indictment	2	5	0		
Conducting cause to judgment	5	16	8		
				8	1 8
The King vs. Wm. Burchill, Larceny of a Steer, Drawing Indictment	2	5	0		
Conducting cause to judgment	5	16	8		
				8	1 8
The King vs. John Hynes, Misdemeanor, Drawing Indictment	2	5	0		
				2	5 0
The King vs. Patrick Ryan, Larceny in a Shop, Drawing Indictment	2	5	0		
Conducting cause to judgment	5	16	8		
				8	1 8
The King vs. John Hynes, Assaulting constable in the execution of his duty, Drawing Indictment	2	5	0		
				2	5 0
The King vs. Richard Short, et al, Riot, Drawing Indictment	2	5	0		
Conducting cause to judgment	5	16	8		
				8	1 8
The King vs. Dyer and Sanagan, Larceny, Drawing Indictment	2	5	0		
Conducting cause to judgment	5	16	8		
				8	1 8
The King vs. John Caswell, Assault with intent to murder, Drawing Indictment	2	5	0		
Conducting cause to judgment	5	16	8		
				8	1 8
The King vs. Robert Hayes, Horse Stealing, Drawing Indictment	2	5	0		
Conducting cause to judgment	5	16	8		
				8	1 8

The King vs. Edward Gartey, Assault, Drawing Indictment		2	5	0		
Conducting cause to judgment		5	16	8		
					8	1 8
The King vs. G. Rice, Larceny in a Shop, Drawing Indictment		2	5	0		
Conducting cause to judgment		5	16	8		
					8	1 8
The King vs. Stalker, et al, Riot, Drawing Indictment		2	5	0		
Conducting cause to judgment		5	16	8		
					8	1 8
The King vs. William Orr, Larceny, Drawing Indictment		2	5	0		
Conducting cause to judgment		5	16	8		
					8	1 8
The King vs. John Franklin, Misdemeanor, Drawing Indictment		2	5	0		
Conducting cause to judgment		5	16	8		
					8	1 8
The King vs. Young and M'Cartney, Grand Larceny, Drawing Indictment		2	5	0		
Conducting cause to judgment		5	16	8		
					8	1 8
The King vs. Samuel Griffiths, Refusing to assist a Constable in the execution of his duty, Drawing Indictment		2	5	0		
Conducting cause to judgment		5	16	8		
					8	1 8
The King vs. Charles (an Indian), Murder, Drawing Indictment		2	5	0		
Conducting cause to judgment		5	16	8		
					8	1 8
The King vs. A. M'Arthur, Larceny, Drawing Indictment		2	5	0		
Conducting cause to judgment		5	16	8		
					8	1 8
The King vs. George Kinsley, Larceny and Embezzlement, Drawing Indictment		2	5	0		
					2	5 0
The King vs. Agnes M'Cartney, et al, Conspiracy, Drawing Indictment		2	5	0		
					2	5 0
The King vs. Jamah and Fantan, Larceny from a Barn, Drawing Indictment		2	5	0		
Conducting cause to judgment		5	16	8		
					8	1 8
The King vs. John Clark, Misdemeanor, Drawing Indictment		2	5	0		
					2	5 0
The King vs. William Lard, Assault and Battery						
Conducting cause to judgment		5	16	8		
					5	16 8
The King vs. Phillips, Escape, Drawing Indictment		2	5	0		
					2	5 0

The King vs. A. Johnston, Forgery, Drawing Indictment	2 5 0	
Conducting cause to judgment	5 16 8	
		8 1 8
The King vs. Edward Dunn, Misdemeanor		
Conducting cause to judgment	5 16 8	
		5 16 8
The King vs. — Hynes, Refusing to Assist a Constable, Drawing Indictment	2 5 0	
		2 5 0

NIAGARA DISTRICT ASSIZES, 1822.

The King vs. M'Mahon, Larceny, Drawing Indictment	2 5 0	
Conducting cause to judgment	5 16 8	
		8 1 8
The King vs. R. Jeffers, Maiming a Horse, Drawing Indictment	2 5 0	
Conducting cause to judgment	5 16 8	
		8 1 8
The King vs. Mary Sheelon, Misdemeanor, Drawing Indictment	2 5 0	
Conducting cause to judgment	5 16 8	
		8 1 8
The King vs. Jedh. Irish, Larceny, Drawing Indictment	2 5 0	
		2 5 0
The King vs. William Asher, Larceny, Drawing Indictment	2 5 0	
Conducting cause to judgment	5 16 8	
		8 1 8
The King vs. M. Green, Cheat, Drawing Indictment	2 5 0	
		2 5 0
The King vs. J. Mucklehone, Larceny, Drawing Indictment	2 5 0	
		2 5 0

HOME DISTRICT, SITTINGS AFTER TRINITY TERM, 1822.

The King vs. Mercy and M'Bride, Larceny and Receiving Stolen Goods, Drawing Indictment	2 5 0	
Conducting cause to judgment	5 16 8	
		8 1 8
The King vs. John Quick, Larceny, Drawing Indictment	2 5 0	
Conducting cause to judgment	5 16 8	
		8 1 8
The King vs. Kemp and Arnold, Misdemeanor, Drawing Indictment	2 5 0	
		2 5 0
The King vs. Kemp, Maliciously Shooting, Drawing Indictment	2 5 0	
Conducting cause to judgment	5 16 8	
		8 1 8
The King vs. Lloyd, Libel, Conducting cause to judgment	5 16 8	
		5 16 8
The King vs. Maher, Larceny, Drawing Indictment	2 5 0	
		2 5 0

The King vs. James Kerr, Cheat, Drawing Indictment		2	5	0		
					2	5	0
The King vs. M'Nally, Toole, and Malone, Resisting a Constable in the execution of his duty, Drawing Indictment		2	5	0		
					2	5	0
The King vs. Simmerman, Purjury, Drawing Indictment		2	5	0		
					2	5	0
	Provincial Currency				£355	15	0
	Sterling				£320	3	6
1822.							
July 22.	Drawing Surrender from W. B. Robinson, Esq., to the Crown of Roche's Point, Lake Simcoe				£2	2	0
Aug. 3,	Fiat for proclamation proroguing the Parliament to the 11th September				1	16	0
Sept. 11.	Fiat for proclamation proroguing the Parliament to the 18th October				1	16	0
Oct. 7.	Fiat for pardon for Joseph Nash, convicted at the last Gore Assizes of maliciously shooting at J. C. Depeu				1	16	0
Oct. 8.	Drawing proclamation declaring the County of Carleton a separate district				1	16	0
Oct. 9.	Fiat for a draft of warrant under the Privy Seal, signifying the Lieutenant Governor's intention of pardoning William Stotenborough, convicted of Horse Stealing at the Home Assizes in October, 1821, on condition of banishment				1	1	0
	Preparing Judge's writ of liberate thereon, with Prisoner's recognizance to observe the conditions of his pardon				1	1	0
	Fiat for a draft of Warrant under the Privy Seal, signifying the Lieutenant Governor's intention of pardoning John Brown, convicted of a capital Felony at the last Home Assizes, on condition of banishment				1	1	0
	Preparing Judge's writ of liberate thereon, with prisoner's recognizance to observe the conditions of his pardon				1	1	0
Oct. 12.	Fiat for proroguing the Parliament of the 27th November				1	16	0
	Fiat for and draft of warrant under the Privy Seal, signifying the Lieutenant Governor's intention of pardoning R. M'Cartney and D. Young, convicted of Larceny at the last Midland District Assizes				1	1	0
	Preparing Judge's writ of liberate thereon with prisoner's recognizance to observe the conditions of the said pardon				1	1	0
Oct. 15.	Opinion of the Inspector General				1	16	0
	Report on the claim of J. Fisher to a Town lot in Amherstburg				1	16	0
	Fiat for and draft of warrant under the Privy Seal, signifying the Lieutenant Governor's intention of pardoning U. Lucas, convicted of Burglary at the Gore Assizes in in 1822				1	1	0
	Preparing Judge's writ of liberate thereon with prisoner's recognizance to observe the conditions of his pardon				1	1	0
Nov. 9.	Fiat for proclamation erecting the County of Carleton into a separate district				1	16	0

Nov. 18.	Warrant to respite an Indian convicted of Murder at Sandwich	0	10	6
Nov. 20.	Fiat for proclamation proroguing Parliament to the 24th December	1	16	0
	Report upon the petition of Miles M'Donell by order of the Lieutenant Governor	1	16	0
	Report upon the Petition of William Crooks, Esquire, by order of the Lieutenant Governor	1	16	0
Nov. 28.	Fiat for a commission of the peace for the district of Bathurst	1	16	0
	Two fiats for writs of dedimus potestatem, to administer the oaths to magistrates in the districts of Johnstown and Bathurst	3	12	0
	Drawing a commission under the Great Seal, appointing arbitrator under 3d Geo. 4th Cap. 119	1	16	0
Dec. 6.	Fiat proroguing Parliament to 15th January, for actual despatch of public business	1	16	0
Dec. 9.	Report on the expiring Laws	1	16	0
Dec. 10.	Drawing and engrossing on parchment, a deed of surrender from T. R. Cartwright, Esq., to His Majesty, with Memorial thereof	3	3	0
Dec. 11.	Opinion by order of the Lieutenant Governor	1	16	0
Dec. 28.	Opinion by order of the Lieutenant Governor	1	16	0
	Fiat for Commission of assize and nisi prius for the Home District, after Hilary term	1	16	0
	Fiat for Commission of Oyer and Terminer and Gaol delivery for ditto	1	16	0
	Report to the Honorable Executive Council on the Petition of Daniel Everitt, by order of the Lieutenant Governor	1	16	0
Dec. 31.	To my allowance for a clerk and the rent of an office from the 30th June to 31st December, both inclusive, at £90 per annum	45	0	0
	The King vs. Persons unknown. — Costs on information for the condemnation of 700 lbs. of Tobacco, seized by the Collector of Kingston, and 556 lbs. claimed by Eldridge Rowley and verdict for claimant	11	4	7½
	Paid William D. Forest for carrying two respites to Sandwich in the case of the King vs. an Indian, convicted of murder on the Western circuit	24	15	0
		£454	18	7½

Examined, J. SCARLET,
Acting Inspector General.

Ditto from 1st January to 30th June, 1823.

1823.				
Jan. 4.	Fiat for commission appointing the Honorable James Baby an arbitrator under 3rd Geo. 4, Cap. 119	£1	16	0
	Writing to Sheriff M'Donell of Ottawa, and giving him full instructions how to proceed in seizure of timber on Crown lands	1	16	0

Jan. 8.	Report on the position of Gruet, by order of His Excellency the Lieutenant Governor	1	16	0
	Do. on the petition of Daniel Hopkins by order	1	16	0
	Do. on the petition of sundry inhabitants of Dumfries and Southwold, by order of the Lieutenant Governor	1	16	0
Jan. 28.	Do. on two Bills passed both Houses of Parliament, by order of the Lieutenant Governor	2	2	0
Feb. 7.	Opinion to the Adjutant General by order of the Lieutenant Governor	1	16	0
Feb. 9.	Three Fiats for commission of the peace for the Home, Johnstown, and Niagara Districts	5	8	0
Feb. 17.	Draft of proclamation promulgating the Royal assent to the Tythe Bill	1	16	0
	Fiat of pardon to Thomas Smith, convicted of perjury	1	16	0
	Report on the petition of Vanorman & Co., by order of the Lieutenant Governor	1	16	0
	Fiat of pardon to Jeffers, convicted of maiming a horse	1	16	0
	Do. for proclamation promulgating the Royal assent to the Tythe Bill	1	16	0
Mar. 10.	Draft of a Bill to establish a second Circuit by order of the Lieutenant Governor	2	2	0
Mar. 15.	Opinion to the Treasurer of the Eastern district	1	16	0
	Report on 41 bills passed both Houses of Parliament, by order of the Lieutenant Governor	43	1	0
Mar. 18.	Putting marginal references to 38 bills	39	18	0

	Currency.		
Paid postage of the commission of the peace for the district of Bathurst	£1	15	0
The King vs. Arnold and Kemp, Misdemeanor, (Traverse). Conducting cause to judgment	5	16	8
The King vs. M'Nally, et al, Misdemeanor, Drawing Indictment	2	5	0
Conducting cause to judgment	5	16	8
The King vs. Arba Stimson, Misdemeanor, Drawing Indictment	2	5	0
Conducting cause to judgment	5	16	8
The King vs. Elijah Tomkins, Larceny, Drawing Indictment	2	5	0
Conducting cause to judgment	5	16	8
The King vs. Martin Stoutenborough, Uttering Forged Bills, Drawing Indictment	2	5	0
The King vs. Luther King, Uttering False Coins, Drawing Indictment	2	5	0
Conducting cause to judgment	5	16	8
The King vs. Ira Kellog, Uttering Forged Notes, Drawing Indictment	2	5	0
Conducting cause to judgment	5	16	8
The King vs. Arba Stimson, Misdemeanor, Drawing Indictment	2	5	0
Conducting cause to judgment	5	16	8
The King vs. Owen Wessels, Uttering Forged Notes, Drawing Indictment	2	5	0
Conducting cause to judgment	5	16	8

	The King vs. Nathan Osborne, Uttering Forged Notes, Drawing Indictment	2 5 0	
	Conducting cause to judgment	5 16 8	
	Currency	£74 10 0	
	Less 1-10th	7 9 0	
			£67 1 0
1823.			
April 7.	Opinion to the Inspector General		£1 16 0
April 10.	Report on the petition of James Fox, by order of the Lieutenant Governor		1 16 0
April 11.	Do. on the petition of William A. Fletcher, by order		1 16 0
	The King vs. M'Donell, et al, Conspiracy, Entering, noli prosequi against M'Donell		0 10 6
	Report on the subject of Grind-stone Island, claimed by an American citizen, by order of the Lieutenant Governor		1 16 0
April 14.	Fiat on proclamation proroguing Parliament to 21st May..		1 16 0
	Opinion respecting Richard Green's will, by order of the Lieutenant Governor		1 16 0
April 26.	Opinion to the Inspector General		1 16 0
	Corresponding with the Sheriff, District of Bathurst, on the subject depredations committed on the Crown lands, and giving him instructions how to proceed against persons offending		1 16 0
May 5	Fiat for a draft of warrant under the Privy Seal, signifying the Lieutenant Governor's intention of granting a pardon to Simon Kemp, for maliciously shooting at the Deputy Sheriff in execution of his duty		1 1 0
	Preparing Judge's writ of liberate thereon, with prisoner's recognizance to observe the conditions of his pardon..		1 1 0
	Opinion to the Inspector General, respecting fees to Collectors		1 16 0
May 13.	Drawing commission to Colonel Foster, and others, to revise claims for losses during the late war, by order of the Lt. Governor		1 16 0
	Fiat for commission under the Great Seal appointing commissioners to investigate claims for losses sustained during the late war		1 16 0
May 14.	Fiat for proroguing Parliament to the 23rd June		1 16 0
	Opinion to the Inspector General for Collector of Port of Belleville		1 16 0
May 21.	Report on the memorial of Captain Le Breton, by order of the Lieutenant Governor		1 16 0
	Do. on the petition of Griffiths and Troy, by order of the Lieutenant Governor		1 16 0
June 5.	Opinion by order of the Lieutenant Governor, respecting the right of James Crooks, Esq., to navigate a vessel originally American built, but since refitted in this Province as a British bottom		1 16 0
	Fiat for commission of the peace, Newcastle district		1 16 0
June 16.	Opinion to the Inspector General respecting American ships, sold as condemned, being allowed the privilege of British bottoms		1 16 0
June 17.	Fiat for proroguing provincial Legislature to 24th July		1 16 0

June 27.	Report on the petitions of several Chiefs of the six nations		1 16	0
	Fiat for and draft of warrant under the Lieutenant Governor's seal at arms, remitting the residue of Jacob Smith's imprisonment		1 1	0
	Preparing Judge's writ of liberate thereon, with prisoner's recognizance for payment of his fine		1 1	0
	Same in the case of Elijah Bills, confined in the Brockville jail		2 2	0
	Same in the case of John M'Donell, et. al, confined in the Kingston Jail		2 2	0
	Opinion upon the validity of the bond, tendered by the Naval officer for the due performance of his office . .		1 16	0
	Report on the petition of A. M'Donell by order of the Lieutenant Governor		1 16	0
	Fiats for commissions of assize and nisi prius, oyer and terminer, and general gaol delivery, for the Eastern, Johnstown, Bathurst, Midland, Newcastle, Home, Gore, Niagara, London and Western districts		36 0	0
	To my allowance for a clerk and the rent of an office from 1st January to 30th June, 1823, at £90 per annum		45 0	0
	The King vs. Manahan. } Amount of costs taxed, as per Master's allocatur. £47 7s. 8d. currency, equal to		42 12	11
			£353 7	5
		or Currency	£392 12	8

A true copy.

J. BABY,
Inspector General.

CLERK OF ASSIZE.

The Government of Upper Canada,

To WILLIAM A. CAMPBELL, Clerk of Assize. Dr.

HOME DISTRICT ASSIZE, 1822.

Precept to the Sheriff	£ 10	0	
Impannelling, swearing and charging Grand jury	10	0	
Swearing Constable to attend same	1	0	
			£1 1 0
The King vs. Garret Lloyd, Libel, Reading and filing indictment	2	6	
Impannelling jury	10	0	
Indorsing verdict	3	6	
			0 16 0
The King vs. Simon Kemp and John Arnold, Assaulting Deputy Sheriff in the execution of his duty, and rescuing goods taken in execution by him, Reading and filing indictment	2	6	

Arraigning prisoner . . .	2 6		
Two Subpœnas . . .	5 0		
Swearing three witnesses for Grand Jury	3 0		
Recognizance of John Arnold	2 6		
		0 15	6
The King vs. John Quick, Larceny, Reading and filing indictment . . .	2 6		
Arraigning prisoner	2 6		
Empannelling jury . . .	10 0		
Indorsing verdict . . .	3 6		
Recognizance of John Quick	2 6		
Swearing seven witnesses and one constable	8 0		
		1 9	0
The King vs. James Kerr, Fraud, Filing indictment ..	2 6		
Swearing two witnesses for Grand Jury	2 0		
		0 4	6
The King vs. Angel Mercy, David M'Bride, and Amanda M'Bride, Larceny, Reading and filing indictment....	2 6		
Arraigning prisoners . . .	2 6		
Empannelling jury . . .	10 0		
Indorsing verdict . . .	3 6		
Bench warrant . . .	5 0		
Swearing three witnesses and one constable	4 0		
		1 7	6
The King vs. Simon Kemp, Maliciously shooting, Reading and filing indictment	2 6		
Arraigning prisoner	2 6		
Empannelling jury . . .	10 0		
Indorsing verdict . . .	3 6		
Two Subpœnas . . .	5 0		
Swearing five witnesses	5 0		
		1 8	6
The King vs. Patrick Mahan, Larceny, Filing bill ignored . . .	2 6		
Swearing 5 witnesses for Grand Jury	5 0		
One constable sworn	1 0		
		0 8	6
The King vs. Matthias Simmerman, Perjury, Filing bill ignored . . .	2 6		
Three witnesses sworn for Grand Jury	3 0		
		0 5	6
The King vs. David M'Bride, Assault, Filing presentment . . .	2 6		
Bench warrant . . .	5 0		
Three witnesses sworn for Grand Jury	3 0		
		0 10	6
Swearing four witnesses for Grand Jury	4 0		
Recognizance of Peter Toole	2 6		
Recognizance of Joseph Malone	2 6		
Entering three sentences . ..	7 6		
Discharging a prisoner by proclamation	2 6		

Three Calendars	7 6		
Return of proceedings to the Clerk of the Crown	10 0		
		1 16	6
Provincial Currency		£10 3	0
Sterling		£9 2	8½

Examined, J. SCARLET,
Acting Inspector General.

Ditto from 1st January to the 30th June, 1823.

	£	£	
Precept to the Sheriff.....		£ 10	0
Calling and swearing Grand Jury		10	0
The King vs. John Arnold, for assaulting the Deputy Sheriff in the execution of his duty.			
Reading and filing indictment	2 6		
Empannelling, swearing and charging jury	10 0		
Entering and endorsing verdict	3 6		
Swearing two witnesses and one constable	3 0		
		0 19	0
The King vs. Barney M'Nally, et. al, for unlawfully resisting a constable in the execution of his duty.			
Reading and filing indictment	2 6		
Empannelling, swearing and charging jury	10 0		
Arraigning prisoner	2 6		
Entering and endorsing verdict	3 6		
Swearing two witnesses	2 0		
Filing one exhibit	2 6		
		1 3	0
The King vs. Abijah Tomkins, Larceny.			
Reading and filing indictment	2 6		
Arraigning prisoner	2 6		
Empannelling, swearing and charging jury	10 0		
Entering and endorsing verdict	3 6		
Swearing 4 witnesses 4s., ditto 3 for Grand jury 3s...	7 0		
		1 5	6
The King vs. Luther King, for passing Counterfeit money.			
Reading and filing indictment	2 6		
Arraigning prisoner	2 6		
Empannelling, swearing and charging jury	10 0		
Entering and endorsing verdict	3 6		
Swearing 4 witnesses 4s., entering sentence 2s. 6d. ..	6 6		
		1 5	0
The King vs. Arba Stimson, for passing counterfeit money.			
Reading and filing indictment 2s. 6d., arraignment of prisoner 2s. 6d.....	5 0		
Empannelling, swearing and charging jury	10 0		
Entering and endorsing verdict 3s. 6d., swearing 4 witnesses and one constable 5s.	8 6		
Filing two exhibits 5s., swearing three witnesses for Grand Jury 3s.	8 0		
		1 11	6

The King vs. Ira Kellog, for passing counterfeit money.			
Reading and filing indictment	2 6		
Arraigning prisoner	2 6		
Empannelling, swearing and charging jury	10 0		
Entering and endorsing verdict	3 6		
Swearing 4 witnesses and one constable 5s.	5 0		
Filing two exhibits	5 0		
Two Subpœnas 5s., swearing one witness for Grand jury 1s.	6 0		
Entering sentence	2 6		
		1	17 0
The King vs. Nathaniel Osborne, passing counterfeit money.			
Reading and filing indictment	2 6		
Arraignment of prisoner	2 6		
Empannelling, swearing and charging jury	10 0		
Entering and endorsing verdict	3 6		
Swearing 3 witnesses and one constable	9 0		
One Subpœna 2s. 6d., filing two exhibits 5s.	7 6		
Entering sentence	2 6		
		1	17 6
The King vs. Arba Stimson, having counterfeit bills in possession.			
Reading and filing indictment	2 6		
Arraignment of prisoner	2 6		
Empannelling, swearing and charging jury	10 0		
Entering and endorsing verdict	3 6		
Swearing two witnesses and one constable	3 0		
Filing one exhibit 2s. 6d., entering sentence 2s. 6d.	5 0		
		1	6 6
The King vs. Owen Wessells, passing counterfeit money.			
Reading and filing indictment	2 6		
Arraignment of prisoner	8 6		
Empannelling, swearing and charging jury	10 0		
Entering and endorsing verdict	3 6		
Swearing one witness 1s., reading and filing exhibit 2s. 6d.	3 6		
		1	2 0
Discharging Kingsley by proclamation		0	2 6
Return of criminal proceedings to the clerk of the Crown for the Home district		0	10 0
Total		£13	19 6

A true copy.

J. BABY,
Inspector General.

COUNCIL FOR THE CROWN.

The Government of Upper Canada,

To C. A. HAGERMAN, Esquire, acting Counsel for the Crown on the Western Circuit, 1822. Dr.

WESTERN DISTRICT.

		Sterling.
The King vs. Shawaneskiskie, Murder.		
Drawing indictment	£2 0 0	
Conducting to judgment	5 5 0	
		£7 5 0
The King vs. Samuel Horton, Senior, Samuel Horton, Junior, Caleb Horton and Michael Horton, Larceny.		
Drawing indictment	2 0 0	
Conducting to judgment	5 5 0	
		7 5 0
The King vs. Roderick Grooms, Enticing Soldiers to desert.		
Drawing indictment	2 0 0	
Conducting to judgment	5 5 0	
		7 5 0

LONDON DISTRICT.

The King vs. Dinah M'Curdy, Murder.		
Drawing indictment		2 0 0
The King vs. William Holly and Charles C. Haskill, Highway robbery		
Drawing indictment		2 0 0
The King vs. Nathan Roberts, Larceny.		
Drawing indictment		2 0 0
The King vs. John Anderson, John Wills and Charles Montague, Riot.		
Drawing indictment		2 0 0

DISTRICT OF GORE.

The King vs. Joseph Nash, Maliciously shooting		
Drawing indictment	2 0 0	
Conducting to judgment	5 5 0	
		7 5 0
The King vs. Daniel O'Reilly, Misdemeanor.		
Drawing indictment	2 0 0	
Conducting to judgment	5 5 0	
		7 5 0
The King vs. James M'Bride, Esquire.		
Same as above		7 5 0
The King vs. Nathaniel Osborne, Larceny,		
Drawing indictment	2 0 0	
Conducting to judgment	5 5 0	
		7 5 0
The King vs. George Book and Jacob Book, Larceny in a dwelling house.		
Drawing indictment		2 0 0

The King vs. Daniel Croswaltie, Wm. Gage and Peter Gage, Riot.						
Drawing indictment	2	0	0			
Conducting to judgment	5	5	0			
				7	5	0
The King vs. William Miller, assault with intent to murder.						
Drawing indictment				2	0	0
The King vs. Isaac Dean, assault on a magistrate in the execution of his duty.						
Drawing indictment				2	0	0
The King vs. William M'Craig, —— Williams, and Peter Cornelius, Riot.						
Drawing indictment	2	0	0			
Conducting to judgment	5	5	0			
				7	5	0
The King vs. Henry Carpenter, Perjury.						
Drawing indictment				2	0	0
The King vs. James M'Masters, Perjury						
Drawing indictment				2	0	0
The King vs. Jacob S. Lawyier, Tendering counterfeit bank notes in payment						
Drawing indictment				2	0	0
				£85	5	0

Examined, J. SCARLET,
Acting Inspector General.

RECEIVER GENERAL'S OFFICE.

For the ordinary and incidental expenses of the Receiver General's Office, from the 1st July to the 31st December, 1822, inclusive.

Vouchers.	PAYMENTS.	Sterling. dls. at 4s. 6d. each.		
No. 1.	To allowance for the first clerk for the above period	£91	5	0
2.	" allowance for the second clerk for the same period	75	0	0
3.	" allowance for office rent for the same period	18	0	0
4.	" allowance for fire wood for the same period, 13 cords at 11s. 1½d. per cord	7	4	7½
5.	" allowance for stationery for the same period.....	11	5	0
6.	" paid William Allan, Esquire, Postmaster, for postage of letters to and from the office during the above period	15	17	8¾ 4-10
7.	" paid Alexander Nevins for a small box to contain the Receiver General's accounts, warrants and vouchers from the 1st January to the 31st December, 1822, inclusive, for transmission to the commissioners for auditing the same	0	6	9
	Total	£218	19	1¼ 4-10

Examined, J. SCARLET,
Acting Inspector General.

Ditto from 1st January to 30th June, 1823.

Vouchers.		Sterling.			
No. 1.	To allowance for first clerk for above period	£91	5	0	
2.	" allowance for second clerk for above period	75	0	0	
3.	" allowance for office rent for same period.....	18	0	0	
4.	" allowance for fire wood for the same period, 13¼ cords at 11s. 1½d. per cord	7	4	7½	
5.	" allowance for stationary for same period	11	5	0	
6.	" paid William Allan, Esq., Postmaster at York, for postage of public letters, to and from the office during the same period	15	5	9¼	2-10
7.	" paid Charles Fothergill, Esquire, Government Printer, for blank receipts for the office during the same period	8	12	9½	4-9
8.	" paid the actual disbursements on carrying specie from Montreal to York, for the public service agreeably to the commands of His Excellency Sir Peregrine Maitland	22	18	1	8-10
		£249	11	3½	4-9

On the Inspector General's exception to the charge of printing Receipts being exorbitant, the attention of the Board was called to the authority of such a charge at all, and find, that such has been twice passed in audit in 1820, and once in 1822 without authority, viz.:

30th June, 1820, by Mr. Crookshank..	£2	5	0
21st December, 1820, by Mr. Dunn	3	0	0
30th June, 1822, by Mr. Dunn	4	10	0

The present charge amounting to eight pounds twelve shillings and ninepence halfpenny and four-ninths of a farthing sterling, is such an item as appears to the Board to require a special authority notwithstanding the past allowance; and considering the aid of Clerks and allowance for stationary to the Receiver General, does not recommend that such an authority be granted, and deduct 8 12 9½ 4-9

Sterling £240 18 6

A true copy.

J. BABY,
Inspector General.

CLERK OF ASSIZE.

The Government of the Province of Upper Canada
To JAMES BOULTON, Clerk of Assize, Dr.

DISTRICT OF NEWCASTLE ASSIZES, 1822.

Precept to the Sheriff	£	10	0
Swearing and empannelling Grand Jury		10	0
Swearing constable to attend Grand Jury		1	0

Rex vs. Timothy Glyn, Horse stealing, Bench warrant..	5 0		
Garner Gifford and Thomas T. Orton, sworn	2 0		
Filing Indictment	2 6		
		£1	10 6
The King vs. Joseph Redmond, Arson.			
Samuel Redmond and John Campbell sworn	2 0		
		0	2 0
The King vs. Patrick Castley, Petit Larceny.			
Filing indictment	2 6		
Two witnesses sworn to go before the Grand Jury ..	2 0		
Empannelling, swearing and charging jury	10 0		
Arraigning prisoner 2s. 6d., endorsing verdict 3s. 6d.	6 0		
Mark Hawson and William Orr sworn	2 0		
One constable sworn 1s., endorsing sentence 2s. 6d...	3 6		
		1	6 0
The King vs. — Farrar, Escape.			
Two witnesses sworn to go before the Grand Jury..	2 0		
Filing indictment 2s. 6d., arraigning defendant 2s. 6d.	5 0		
Recognizance of — Farrar	2 6		
Ditto of L. Stiles, do. of I. Wilder.....	5 0		
		0	14 6
The King vs. John Brown, Perjury.			
Erasmus Fowke, M. Hawson and Dennis Riordan, sworn to go before Grand Jury	3 0		
		0	3 0
The King vs. Erasmus Fowke, Perjury.			
William Orr, Samuel Briton and James M'Carty, sworn to go before Grand Jury	3 0		
		0	3 0
The King vs. E. Fowke and others, riot.			
Swearing three witnesses for Grand Jury	3 0		
Filing indictments 2s. 6d., Bench warrant 5s.	7 6		
		0	10 6
Three Calendars for the district	7 6		
Record of criminal proceedings	10 0		
		0	17 6

JOHNSTOWN DISTRICT ASSIZES.

Precept to the Sheriff	10 0		
Empannelling and swearing Grand Jury	10 0		
Swearing two constables to attend same	2 0		
		1	2 0
The King vs. Thomas Cutler, and others, Misdemeanor.			
Subpœna for A. Elmare	2 6		
Subpœna for Henry Hamilton	2 6		
Swearing four witnesses for Grand Jury.....	4 0		
Filing indictment	2 6		
Swearing, charging and empannelling jury.....	10 0		
Arraigning prisoner 2s. 6d., entering verdict 3s. 6d. ..	6 0		
Three witnesses and one constable sworn	4 0		
Entering sentence	2 6		
		1	14 0
The King vs. P. H. Mattheson, Horse stealing.			
Subpœna for William Graves	2 6		
Subpœna for I. Kincaid	2 6		
Subpœna for S. L. Brown and E. Champion	5 6		

Four witnesses sworn for Grand Jury	4	0			
Filing indictment	2	6			
Swearing, charging and empannelling jury	10	0			
Arraigning prisoner 2s. 6d., entering verdict 3s. 6d...	6	0			
Seven witnesses and one constable sworn	8	0			
Entering sentence	2	6			
			2	3	6
The King vs. Noah Philips, Perjury.					
Four witnesses sworn for Grand Jury	4	0			
			0	4	0
The King vs. Thomas Cutler and others, Misdemeanor.					
Filing indictment 2s. 6d., filing bill ignored 2s. 6d...	5	0			
			0	5	0
The King vs. Robert Winkworth, Perjury.					
Subpœna for William Mattheson and others.....	2	6			
William Mattheson sworn for Grand Jury	1	0			
			0	3	6
The King vs. the Rev. William Smart, illegally marrying.					
Subpœna for George Purvis and wife	2	6			
Subpœna for John Hough and wife	2	6			
			0	5	0
The King vs. P. M'Grath and James Knox, Arson.					
Subpœna for P. Gireaw 2s. 6d., three witnesses sworn for Grand Jury 3s.	5	6			
Filing indictment 2s. 6d., swearing, charging, and empannelling jury 10s.....	12	6			
Reading and filing two exhibits	5	0			
Sixteen witnesses and one constable sworn	17	0			
Arraigning prisoner 2s. 6d., entering verdict 3s. 6d. ..	6	0			
			2	6	0
The King vs. Thomas Philipson, Sedition.					
Swearing two witnesses	2	0			
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5	0			
Entering confession 3s. 6d., entering sentence 2s. 6d.	6	0			
			0	13	0
The King vs. Daniel Wing, Perjury.					
Subpœna for Leonard White	2	6			
Subpœna for D. Coleman, Jacob Elliot, Peter Johnston, Samuel Copeland and William Webster.....	12	6			
			0	15	0
The King vs. Oliver Eaton, Perjury.					
Two witnesses sworn 2s., reading and filing presentment 2s. 6d.	4	6			
Bench warrant 5s., filing indictment 2s. 6d.	7	6			
			0	12	0
The King vs. Eve Wait, Perjury.					
Subpœna for Elizabeth Floyd	2	6			
Subpœna for Isaac Stolcker, J. Munro, and Samuel Estow	7	6			
				10	0
The King vs. Isaac C. Balcom, Petit Larceny.					
Two witnesses sworn for Grand Jury	2	0			
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5	0			

Empannelling, swearing and charging jury	10 0		
Entering verdict 3s. 6d., entering sentence 2s. 6d., five witnesses sworn 5s.	11 0		
		1	8 0
Estreating the recognizance of William Mattheson, James Young and Joseph Cowan	5 0		
Estreating the recognizance of Oliver Eaton, Jabez Eaton and Nathan Fish.....	5 6		
		0	10 0
The King v. J. C. Balcom, Grand Larceny.			
Filing indictment 2s. 6d., swearing three witnesses for Grand Jury 3s.	5 6		
		0	5 6
Three Calendars for the district	7 6		
Record of criminal proceedings for the Crown office	10 0		
		0	17 6

EASTERN DISTRICT ASSIZES.

Precept to the Sheriff 10s., calling, swearing and empannelling Grand Jury 10s.	1 0 0		
One constable sworn to attend Grand Jury	1 0		
		1	1 0
The King vs. Dennis Sullivan; Horse Stealing			
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Empannelling, swearing and charging jury	10 0		
Three witnesses and one constable sworn	4 0		
Endorsing verdict	3 6		
Entering sentence	2 6		
		1	5 0
The King vs. John Diffy, Petit Larceny.			
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d...	5 0		
Empannelling jury 10s., two witnesses sworn 2s.	12 0		
One constable sworn 1s., one exhibit filed 2s. 6d.	3 6		
Endorsing verdict	3 6		
Entering sentence	2 6		
		1	6 6
The King vs. James Hunt, Horse Stealing.			
Swearing two witnesses for Grand Jury	2 0		
Filing verdict 2s. 6d., Subpœna for J. Wallas 2s. 6d...	5 0		
Two Subpœnas for Cassaday and J. Mallory	5 0		
		0	12 0
The King vs. Isaiah Green, Petit Larceny.			
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Empannelling jury 10s., four witnesses sworn 4s. ..	14 0		
Endorsing verdict 3s. 6d., entering sentence 2s. 6d...	6 0		
		1	5 0
The King vs. James Hunt, Horse Stealing.			
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Empannelling jury 10s., 3 witnesses sworn 3s.	13 0		
One constable sworn 1s., one exhibit filed 2s. 6d.	3 6		
Endorsing verdict 3s. 6d., entering sentence 2s. 6d. ..	6 0		
		1	7 6

Filing inquisition on the body of Donald M'Donell ..	2 6		
" " George Allan Gallenger	2 6		
" " Duncan Grant . ..	2 6		
" " Richard Foyerly ..	2 6		
Three calendars for the district	7 6		
Record of criminal proceedings for Crown office	10 0		
		1	7 6

MIDLAND DISTRICT ASSIZES.

Precept to the Sheriff	10 0		
Calling, swearing and empannelling Grand Jury	10 0		
One constable sworn to attend Grand Jury	1 0		
		1	1 0
The King vs. Mary Losee, Nuisance.			
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d. empannelling jury 10s.	15 0		
Nine witnesses and one constable sworn	10 0		
Endorsing verdict 3s. 6d., entering sentence 2s. 6d. ..	6 0		
		1	11 0
The King vs. William Burchell, Grand Larceny.			
Subpœna for J. Joy, three witnesses sworn for Grand Jury	5 6		
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Empannelling jury 10s., three witnesses sworn 3s.	13 0		
Endorsing verdict 3s. 6d., entering sentence 2s. 6d. ..	6 0		
		1	9 6
The King vs. George Baker, Manslaughter.			
Subpœna for T. Thompson and others	2 6		
" T. Moore and others	2 6		
" James Conner and others	2 6		
" John Clark and others	2 6		
		0	10 0
The King vs. Alexander M'Arthur, Grand Larceny.			
Three witnesses sworn for Grand Jury	3 0		
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Empannelling jury 10s., five witnesses 5s.	15 0		
Endorsing verdict 3s. 6d., entering sentence 2s. 6d.	6 0		
		1	9 0
The King vs. Thomas Staples, Misdemeanor.			
Two witnesses sworn for Grand Jury	2 0		
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Empannelling jury 10s., one witness 1s., one exhibit 2s. 6d.	13 6		
Endorsing verdict 3s. 6d., entering sentence 2s. 6d...	6 0		
		1	6 6
The King vs. John Heynes, Assaulting Constable in the execution of his duty.			
Two witnesses sworn for Grand Jury	2 0		
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Traversed recognizance of John Heynes	2 6		
Recognizance of George Millward, do. of H. Coy....	5 0		
		0	14 6
The King vs. John Heynes, Assaulting a magistrate in the execution of his duty.			
Two witnesses for Grand Jury sworn	2 0		

Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Recognizance of John Heynes	2 6		
Do. . of Henry Cassaday and of I. Butterworth..	5 0		
		0	14 0
The King vs. John Caswell, Assault with intent to murder.			
Three witnesses sworn for Grand Jury	3 0		
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Empannelling jury 10s., five witnesses sworn 5s.	15 0		
One constable sworn 1s., one exhibit filed 2s. 6d.	3 6		
Endorsing verdict 3s. 6d., entering sentence 2s. 6d...	6 0		
		1	12 6
The King vs. Patrick Ryan, Larceny.			
Three witnesses sworn for Grand Jury	3 0		
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Empannelling jury 10s., five witnesses and one constable sworn 6s.	16 0		
Endorsing verdict 3s. 6d., entering sentence 2s. 6d...	6 0		
		1	10 0
The King vs. Robert Hayes, Horse Stealing.			
Two witnesses for Grand Jury, sworn	2 0		
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Jury 10s., five witnesses and one constable sworn 6s.	16 0		
One exhibit filed and read 2s. 6d., entering verdict ..	6 0		
		1	9 0
The King vs. Peter Vancott, Manslaughter.			
Two witnesses sworn for Grand Jury	2 0		
Filing indictment	2 6		
Discharging prisoner by proclamation	2 6		
		0	7 0
The King vs. Peter Dyer and Peter Lanagan, Grand Larceny,			
Two witnesses sworn for Grand Jury.....	2 0		
Recognizance of Francis M'Neil, ditto of Mr. Cook ..	5 0		
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Jury 10s., five witnesses and one constable sworn 6s.	16 0		
One exhibit filed and read 2s. 6d., entering verdict 3s. 6d.	6 0		
		1	14 0
The King vs. Edward Gartey, Assault and Battery.			
Three witnesses sworn for Grand Jury	3 0		
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Jury 10s., four witnesses and one constable sworn 5s.	15 0		
Endorsing verdict 3s. 6d., entering sentence 2s. 6d...	6 0		
		1	9 0
The King vs. Gasper Rice, Petit Larceny.			
One witness sworn for Grand Jury	1 0		
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Jury 10s., one witness and one constable sworn 2s...	12 0		
Endorsing verdict 3s. 6d., entering sentence 2s. 6d...	6 0		
		1	4 0
The King vs. Samuel Griffiths, Misdemeanor.			
One witness sworn for Grand Jury	1 0		
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5 0		
Jury 10s., witnesses sworn 1s.	11 0		
Endorsing verdict 3s. 6d., entering sentence 2s. 6d...	6 0		
		1	3 0

The King vs. Richard Short, and others, Riot.					
Three witnesses sworn for Grand Jury	3	0			
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5	0			
Jury 10s., five witnesses and one constable sworn 6s.	16	0			
Endorsing verdict 3s. 6d., entering sentence 2s. 6d...	6	0			
			1	10	0
The King vs. Patrick Ryan, Grand Larceny.					
Three witnesses sworn for Grand Jury	3	0			
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5	0			
Filing indictment when quashed	2	6			
			0	10	6
The King vs. David Young and Robert M'Cartney, Grand Larceny.					
Four witnesses sworn for Grand Jury	4	0			
Filing indictment 2s. 6d., Issuing Bench warrant 5s.	7	6			
Arraigning prisoner 2s. 6d., Jury 10s.	12	6			
Seven witnesses and one constable sworn 8s., endorsing verdict 3s. 6d.	11	6			
Entering sentence 2s. 6d., recognizance of John M'Donell, 2s. 6d.	5	0			
			2	0	6
The King vs. Patrick Magee, Felony.					
Two witnesses sworn for Grand Jury	2	0			
Filing presentment 2s. 6d., Bench warrant 5s.	7	6			
			0	9	6
The King vs. William Orr, Larceny.					
Two witnesses sworn for Grand Jury	2	0			
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5	0			
Jury 10s., two witnesses and one constable sworn 3s.	13	0			
Endorsing verdict 3s. 6d., entering sentence 2s. 6d...	6	0			
			1	6	0
The King vs. James Philips, Misdemeanor.					
Two witnesses sworn for Grand Jury	2	0			
Filing presentment 2s. 6d., Filing indictment 2s. 6d.	5	0			
			0	7	0
The King vs. Agnes M'Cartney and others, Conspiracy.					
Three witnesses sworn for Grand Jury	3	0			
Filing indictment 2s. 6d., Bench warrant 5s.	7	6			
Recognizance of T. M'Cartney, do. of R. Ferguson...	5	0			
Recognizance of Samuel M'Cartney and of Thomas M'Cartney	5	0			
Recognizance of Daniel M'Donell, arraignment of defendant	5	0			
			1	5	6
The King vs. Buzel Jamah and Lucy Fanton, Petit Larceny.					
One witness sworn for Grand Jury	1	0			
Filing indictment 2s. 6d., arraigning prisoners 2s. 6d.	5	0			
Jury 10s., one witness sworn 1s.	11	0			
Endorsing verdict 3s. 6d., entering sentence 2s. 6d.	6	0			
			1	3	0
The King vs. James Stalker and others, Riot, assault and battery.					
Three witnesses sworn for Grand Jury	3	0			
Filing indictment 2s. 6d., arraigning prisoners 2s. 6d.	5	0			

Jury 10s., eight witnesses and one constable sworn 9s.	19	0	
Endorsing verdict 3s. 6d., entering sentence 2s. 6d.	6	0	
			1 13 0
The King vs. Charles, an Indian, Murder.			
Subpœna for George Colls, Esq.	2	6	
Two witnesses sworn for Grand Jury	2	0	
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5	0	
Jury 10s., five witnesses and one constable sworn, 6s.	16	0	
Endorsing verdict	3	6	
			1 9 0
The King vs. John Franklin, Assault and Battery.			
Two witnesses sworn for Grand Jury	2	0	
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5	0	
Recognizance of John Franklin and R. Walker	5	0	
Ditto of Henry Cassaday	5	0	
Jury 10s., endorsing verdict 3s. 6d.	13	6	
			1 10 6
The King vs. John Clark, Misdemeanor.			
Three witnesses sworn for Grand Jury	3	0	
Filing presentent 2s. 6d., filing indictment 2s. 6d.	5	0	
Arraigning defendant 2s. 6d., Recognizance of John Clark, 2s. 6d.	5	0	
Recognizance of P. Davy, do. of W. B. Smyth	5	0	
			0 18 0
The King vs. William Lard, Assault and Battery, and false imprisonment.			
Subpœna for C. Burley 2s. 6d., filing indictment 2s. 6d.	5	0	
Arraigning prisoners 2s. 6d., Jury 10s.	12	6	
Four witnesses sworn	4	0	
Endorsing verdict 3s. 6d., entering sentence 2s. 6d.	6	0	
			1 7 6
The King vs. Archibald M'Neil, Murder.			
Three witnesses sworn for Grand Jury	3	0	
Filing indictment	2	6	
Discharging prisoner by proclamation	2	6	
			0 8 0
The King vs. Edward Dunn, Misdemeanor.			
Three witnesses sworn for Grand Jury	3	0	
Subpœna for I. Day 2s. 6d., filing indictment 2s. 6d.	5	0	
Arraigning defendant 2s. 6d., recognizance of E. Dunn 2s. 6d.	5	0	
Recognizance of Thomas Ferguson 2s. 6d., do. of S. Morris 2s. 6d.	5	0	
Jury 10s., two witnesses and one constable sworn 3s.	13	0	
Endorsing verdict 3s. 6d., entering sentence 2s. 6d.	6	0	
			1 17 0
The King vs. Edward Johnston, Passing Counterfeit Money.			
Two witnesses sworn for Grand Jury	2	0	
Filing presentment 2s. 6d., Bench warrant 5s.	7	6	
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5	0	
Filing indictment when quashed	2	6	
			0 16 0

The King vs. Noble Palmer, Misdemeanor.			
Two witnesses sworn for Grand Jury	2	0	
Filing presentment	2	6	
Bench warrant	5	0	
Recognizance of Noble Palmer	2	6	
			0 12 0
The King vs. Andrew Johnston, Felony.			
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5	0	
Jury 10s., 4 witnesses sworn 4s.	14	0	
Two exhibits filed 5s., endorsing verdict 3s. 6d.	8	6	
			1 7 6
The King vs. John Heynes, Misdemeanor.			
Two witnesses sworn for Grand Jury	2	0	
Filing indictment 2s. 6d., arraigning prisoner 2s. 6d.	5	0	
Recognizance of John Heynes	2	6	
Do. of Benjamin Olcott 2s. 6d,, do. of I. Rutter 2s. 6d.	5	0	
			0 14 6
George Kinsley, discharged by proclamation	2	6	
Horatio G. Berthrong, do.	2	6	
Three calendars for the district	7	0	
Record of Criminal proceedings for the Crown office	10	0	
			1 2 6
			£68 17 0

Examined, J. SCARLET,
Acting Inspector General.

GOVERNMENT PRINTER.

The Government of Upper Canada,

TO CHARLES FOTHERGILL, Dr.

1823.				
Jan. 2.	To advertising proclamation of Parliament, 58 lines, two weeks	£0	9	8
	To advertising the appointments of J. H. Powell and others 19 lines	0	6	4
	To ditto notice of settlement duty, 35 lines, 26 weeks	3	12	0
	To ditto certain remote townships, 30 lines, 2 weeks	3	5	0
	To ditto extension of time for settlement duty, 15 lines, 26 weeks	1	12	6
	To ditto requiring certificates from land boards, 12 lines, 26 weeks	1	6	0
Jan. 9.	To ditto of the appointment of the Honorable J. Baby, and others, 17 lines	0	5	8
Jan. 16.	To ditto the meeting of Parliament and speech, 108 lines	1	16	0
	To 14 Gazettes per order	0	8	9
Jan. 23.	To advertising the addresses and replies, 178 lines	2	19	4
	To ditto subscription to the King's monument, 51 lines, 3 weeks	1	5	6

Jan. 30.	To ditto the appointment of R. Smith and others, 8 lines..	0	2	8
Feb. 18.	To ditto the appointment of H. Nelles and others, 7 lines	0	2	4
	To ditto general gaol delivery, 15 lines, 3 weeks	0	7	6
	To ditto proclamation respecting tythes, 167 lines	2	15	8
Mar. 6.	To ditto certain addresses and answers, 72 lines	1	4	0
	To ditto eight extra Gazettes with ditto, at 7½d.	0	5	0
Mar. 13.	To ditto A. Wishart, etc., 8 lines	0	2	8
Mar. 20.	To ditto the prorogation of Parliament, 111 lines	1	17	0
	To 16 extra Gazettes of the first edition	0	10	0
	To 16 extra Gazettes of the second edition	0	10	0
Mar. 27.	To advertising the corrected speech of His Excellency at the prorogation of Parliament	1	17	0
	To ditto the appointment of Horne and Todd, 14 lines ..	0	4	8
	To ditto the appointment of Robert Stanton, 7 lines	0	2	4
Apl. 10.	To ditto the appointment of J. H. Powell, and others, 18 lines, 6 weeks	0	6	0
	To ditto appointment of G. H. Read and others, 12 lines ..	0	4	0
Apl. 17.	To advertising the 5th and 7th Chap. Provincial statutes, 385 lines	4	15	0
Apl. 19.	To ditto the 10th, 11th, and 13th Chap. Provincial statutes, 386 lines	6	8	8
Apl. 24.	To ditto the appointment of I. Kirkpatrick, 7 lines.....	0	2	4
	To ditto 15th Chap. of Provincial statutes, 420 lines	7	0	0
May 1.	To ditto the proclamation of Parliament, 55 lines, 3 weeks	1	7	6
	To ditto the appointment of A. Jones and others, 25 lines	0	8	4
	To ditto a dispatch relative to sufferers during the late war, 51 lines, 3 weeks.....	1	5	6
	To ditto 16th Chap. of Statutes, weights and measures, 259 lines	4	6	4
May 8.	To ditto 17th and 18th Chap. of ditto, 116 lines.....	1	18	8
May 12.	To printing 400 Gazettes, extraordinary, on the subject of Losses during the late war, G.P.	4	14	1
May 15.	To advertising proclamation of Parliament, 56 lines, five weeks	1	17	4
	To ditto 20th Chap. (Salmon preservation), 158 lines	2	12	8
May 22.	To ditto 22nd Chap. (Kingston Bank), 342 lines	5	14	0
May 29.	To ditto 30th Chap. (Quarter Sessions Act), 80 lines	1	6	8
	To ditto appointment of commissioners board of education	0	10	0
June 5.	To ditto 37th Chap. provincial statutes, 96 lines	1	12	0
June 19.	To ditto proclamation of parliament. 56 lines, 2 weeks	1	3	4
June 30.	To supplying 37 Gazettes and Registers to various public offices during the half-year	18	10	0
	To office rent for half a year	20	0	0
		£113	10	0
	Add 3s. 10d. undercharged in 3d. item of this account	0	3	10
		£113	13	10

1823.

Ditto, ditto, in the following supplementary account.

June 3. To 1,000 copies of the Statutes of Upper Canada for 1823 with several Acts of the Imperial Parliament, prepared and delivered to Doctor Powell, per order, from Major

Hillier, and chargeable at the rate proposed to and accepted by the House of Assembly.....	£224	5	0
To printing 1,500 copies of the 55th of 52nd George 3d. and the 44th, 45th and 119th of the 3d. Geo. 4th, and an Act relative to the right of tythes in this province, per order 4to. pica, brevier marginal notes, 38 pages	128	5	0
Total	£352	10	0

A true copy.

J. BABY,
Inspector General.

BY ORDER OF THE HOUSE OF ASSEMBLY.

York, Printed by JOHN CAREY.

APPENDIX II

BEING THE

ACCOUNTS

OF

THE RECEIVER-GENERAL OF UPPER CANADA

FOR THE YEAR 1801

PRESENTED TO THE HOUSE OF ASSEMBLY, 1802

APPENDIX II

ACCOUNTS

OF

THE RECEIVER-GENERAL OF UPPER CANADA

FOR THE YEAR 1801

PRESENTED TO THE HOUSE OF ASSEMBLY, 1802

No. 1.

Account stating the unappropriated sum in the hands of Peter Russell, Esquire, Receiver-General, on the 27th May, 1801, for duties collected under Acts of the Provincial Parliament.

		Currency.
1801	To balance remaining in the hands of Peter Russell, Esquire, Receiver-General, on the 27th May, 1801	£3,069 1s. 1¼d.

Errors excepted,

York, 28th May, 1802.

(Signed) JOHN MCGILL,
Inspector Genl. Prov. Accts.

NO. 2. UPPER CANADA.

General account of goods liable to duties imported from the United States for which the duties have been collected or secured, between the 1st July, 1801, and 31st March, 1802, and expense attending the collection thereof.

PORT OF ENTRY.	Brandy.	Rum.	Shrub.	Anniseed.	Whiskey.	Gin.	Wines not Madeira.	Molasses and Syrups.	Loaf Sugar.	Muscovado and Clayed Sugar.	Coffee.	Leaf Tobacco.	Manufactured Tobacco.	Snuff.	Salt Bushels.	Tea Hyson.	Currency.
York, for the quarter ending the 30th September, 1801	28	0	31	32	0	0	0	0	0	0	0	265	0	0	0	8	£ 3 10 11
York, for the quarter ending the 31st December, 1801	0	0	0	0	161	0	0	0	0	200	0	0	0	0	0	0	2 8 7
Niagara for the quarter ending the 30th September, 1801	88	667	0	0	0	0	0	0	0	330	0	0	0	0	0	0	10 2 6
Niagara, for the quarter ending the 31st December, 1801	272	1304	0	0	0	252	85	30	440	482	0	0	14494	22	2117	0	243 19 3
Niagara, for the quarter ending the 31st March, 1802	0	32	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0 9 4
Queenstown, for the quarter ending the 31st March, 1802	0	0	0	0	0	0	0	0	0	0	0	10	193½	0	0	0	2 11 3½
Kingston, for the quarter ending the 30th September, 1801	97	272¾	0	0	0	38	0	0	89	212	0	100	0	0	126½	0	8 16 11½
Kingston, for the quarter ending the 31st December, 1801	63	245¾	0	0	0	0	0	0	24	282	0	302	0	0	1069⅞	0	24 17 10⅝
Kingston, for the quarter ending the 31st March, 1802	109	204	0	0	0	0	0	14	48½	55	2	0	1500	9	0	0	23 6 5
Johnstown, for the quarter ending the 30th September, 1801	33	32	0	0	0	0	39	0	30	0	0	0	43	0	314	0	6 13 9
Johnstown, for the quarter ending the 31st December, 1801	5	94	0	0	0	12	0	0	105	0	15	0	111½	7½	65	0	4 9 8½
Cornwall, for the quarter ending the 31st March, 1802	5	5	0	0	0	0	0	0	0	0	0	0	392	0	0	0	5 0 6
Fort Erie, for the quarter ending the 31st March, 1802	0	0	0	0	0	0	0	0	0	0	0	0	40	0	0	0	0 10 0
	700	2856½	31	32	161	302	124	44	736½	1567	17	677	16779	38½	3696⅜	8	£336 17 1¼

The Act of the Provincial Parliament of the 41st of His Majesty allows each collector 50l. per cent. on the sum collected, until the same amount to one hundred pounds.

Expense of Collection.

William Allan, Esq., Collector, York	£2	19	9		
Colin McNabb, Esq., Collector, Niagara	63	0	0		
Deputy Collector, Queenstown	1	5	7¾		
Joseph Anderson, Esq., Collector, Kingston	28	10	7½ 5-10	.. ..	104 3 0 5-10
L. P. Sherwood, Esq., Collector, Johnstown	5	11	8¾		
Joseph Anderson, Esq., Collector, Cornwall	2	10	3		
John Warren, Esq., Collector, Fort Erie	0	5	0		
				Net Revenue,	£232 14 1 5-10

Errors excepted,
York, 28th May, 1802.

(Signed) JOHN MCGILL,
Inspector-General Prov. Accts.

No. 3.

Account of cash received by Peter Russell, Esquire, Receiver-General, for duties on sundry goods, wares and merchandise, under the Acts of the Provincial Parliament, of the 33rd, 34th, 35th and 41st of His Majesty, between the 27th May, 1801, and 28th May, 1802.

DUTIES.

1802.	£	s.	d.	£	s.	d.
Cash received from William Allan, Esq., Collector at York, for the quarters ending the 30th September and 31st December, 1801	2	19	9			
Ditto from Joseph Anderson, Esq., Collector at Kingston, on account, for the quarters ending the 30th September and 31st December, 1801	28	10	7½ 5-10			
Ditto from Colin McNabb, Esq., Collector at Niagara, on account, for the quarters ending the 30th September and 31st December, 1801..	114	12	6			
				146	2	10½ 5-10
Ditto from Henry Caldwell, Esquire, Receiver-General of Lower Canada, the amount of Lieutenant-Governor Sir Robert Milnes' warrant for this Province's proportion of duties on imports, between 1st January and 31st December, 1801				1,069	3	1½

LICENSES.

1801.						
Ditto received of William Jarvis, Esq., Secretary of the Province, viz.:						
Spirituous liquors—Shops, 72; taverns, 68; total, 140—ending 4th April, 1801—20s.	140					
1802.						
Stills, 45—4,152¼ gallons—ending 4th April, 1801—1s. 3d.	259	10	3¾			
Spirituous liquors, on account, 216 shop and tavern, ending 4th April, 1802	140					
				539	10	3¾
				£1,754	16s.	3¾ 5-10d.

Errors excepted,
York, 28th of May, 1802.

(Signed) JOHN MCGILL,
Inspector-General Prov. Accounts.

No. 4.

General account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards, from the 1st January to the 30th June, 1801, agreeable to written accounts thereof received, or as ascertained on examination of carriages according to the Act.

By whom furnished, dispatched or accompanied.	Dates written accounts.	Dates passing Coteau du Lac.	Private Boats or Canoes.	King's Boats.	Carriages.	Gallons Jamaica Spirits or Rum.	Gallons Foreign Brandy or Spirits.	Gallons Molasses.	Gallons Madeira Wine.	Gallons Port and all Wines not Madeira.	Lbs. Loaf or Lump Sugar.	Lbs. Muscovado Sugar.	Lbs. Coffee.	Lbs. Leaf Tobacco.	Packs Playing Cards.	Minots Salt.	Remarks.
	Jan.	Jan.															
D. McLeod	5	5	0	0	2	70	4	0	0	0	10	14	0	0	5	2	
W. Wood	7	7	0	0	1	0	0	0	0	0	0	0	0	0	0	12	
Jos. Larivierre	10	10	0	0	5	47	0	0	0	0	0	0	0	0	0	52	
H. Empey	11	11	0	0	1	36	0	0	0	0	0	0	0	0	0	2	
N. Norton	12	12	0	0	1	40	0	0	0	0	32	0	0	0	0	0	
D. McDonell	0	0	0	0	1	37	0	0	0	0	0	0	0	0	0	6	
J. Cidman	0	0	0	0	3	58	0	0	0	0	0	0	0	0	0	4	
W. Forester	0	0	0	0	1	64	0	0	0	0	0	0	0	0	0	0	
D. McPhall	15	15	0	0	3	7	0	0	0	0	0	0	0	0	0	6	
B. Joseph	0	0	0	0	1	0	0	9	0	0	0	0	0	0	0	0	
Jos. Auscam	16	16	0	0	4	72	0	0	0	0	0	0	0	0	0	21	
A. McDonell	0	0	0	0	3	2	0	0	0	0	0	0	0	0	0	9	
William Loucks	0	0	0	0	3	125	17	0	0	45	14	50	0	0	0	8	
Paul Glasford	17	17	0	0	1	17	3	0	0	0	17	0	0	0	0	2	
W. McKay	18	18	0	0	2	4	0	0	0	0	0	0	0	0	0	3h	
F. McDonell	0	0	0	0	2	59	0	0	0	0	0	0	0	0	0	4	
Norman McLeod	0	0	0	0	6	114	0	0	0	0	0	0	0	0	0	13	
John McDonell	0	0	0	0	4	6	0	0	0	0	0	0	0	0	0	10h	
Alex. McDonell	0	0	0	0	3	41	0	0	0	0	0	0	0	0	0	14h	
H. McDonell	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	3	
Thomas Munro	0	0	0	0	3	15	9	0	0	0	0	0	0	0	0	22h	
P. Bonhomme	21	21	0	0	2	0	0	0	0	0	0	0	0	0	0	20	
D. Sterne	0	0	0	0	4	129	18	0	18	0	48	0	0	0	0	0	
F. Rafine	0	0	0	0	2	120	0	0	0	0	0	0	0	0	0	0	
Narab Eastman	0	0	0	0	4	13h	0	0	0	0	0	0	0	0	0	14	
T. Bener	0	0	0	0	2	8	0	0	0	0	0	0	0	0	0	8	

J. McGilles	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	9
Allan Grant	0	0	0	0	2	4	0	0	0	0	0	0	0	0	0	3
D. McDonell	22	22	0	0	2	0	0	0	0	0	0	0	0	0	0	8
Wm. McGloghlan	24	24	0	0	3	10	0	0	0	0	0	0	0	0	0	6h
James Richardson	24	24	0	0	2	36	72h	0	0	0	18	0	0	0	0	0
John Stanbar	0	0	0	0	3	242	162	0	0	31	0	0	0	0	0	0
P. Empey	25	25	0	0	1	9	24	0	0	20	24	0	0	0	0	0
D. McArthur	0	0	0	0	1	3	0	0	0	0	0	0	0	0	0	5
John Waldorffe	0	0	0	0	4	17	0	0	2	0	0	0	0	0	0	21
A. Adams	0	0	0	0	3	148	28	0	0	54	48	0	0	0	0	1
G. Fenny	26	26	0	0	11	18	0	0	0	0	0	0	0	0	0	28
Alex. McPhall	27	27	0	0	2	5	0	0	0	0	0	0	0	0	0	7
Martin Kelly	28	28	0	0	1	0	0	0	0	0	0	0	0	0	0	6
A. Campbell	29	29	0	0	6	19	3	9	0	4	32	20	0	0	0	21
A. McDonell	0	0	0	0	10	19h	0	0	0	0	0	0	0	0	0	33
J. Ross	0	0	0	0	2	11	0	0	0	0	0	0	0	0	0	4
D. Campbell & others	0	0	0	0	4	129	27	0	0	8	0	0	0	0	0	25
Allan Grant	0	0	0	0	2	9	0	0	0	0	0	0	0	0	0	11
J. A. McGill & Co.	0	0	0	0	6	109	0	0	0	0	0	1520	6	0	0	0
J. Woolrich	0	0	0	0	1	0	0	0	9	0	0	0	0	0	0	0
Angus McGilles	0	0	0	0	12	12	0	0	0	0	0	0	0	0	0	20
A. McGreen	0	0	0	0	10	19	2	0	0	0	0	0	0	0	0	23h
Roger Wood	0	0	0	0	3	4	0	0	0	0	0	0	0	0	0	26
Jana Orphana	30	30	0	0	1	0	0	0	0	0	0	0	0	0	0	7
D. Kelburn	0	0	0	0	3	0	55	0	0	9	126	0	0	0	0	14
G. Ferguson	0	0	0	0	1	3	0	0	0	0	0	0	0	0	0	2
A. Grant	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	4h
Angus McDonell	0	0	0	0	2	6	0	0	0	0	0	0	0	0	0	5
John Ferguson	0	0	0	0	1	3	0	0	0	0	0	0	0	0	0	4
	Feb.															
Hugh McDonell	0	1	0	0	12	60	0	0	0	0	0	0	0	0	0	20
W. Dusber	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2
J. Brownell	2	2	0	0	4	0	9	0	0	0	9	0	20	0	0	45
J. Stonehouse	0	0	0	0	2	0	5h	0	0	0	0	0	0	0	0	10
F. Mallett	0	0	0	0	1	72	0	0	0	0	0	0	0	0	0	0
J. Caldee	0	0	0	0	2	3	0	0	0	0	0	0	0	0	0	6h
Joseph Francouer	3	3	0	0	7	0	0	0	0	0	0	0	0	0	0	12
Angus McGilles	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	3
D. Ferguson	3	3	0	0	1	0	0	0	0	0	0	0	0	0	0	2
P. Goddon	0	0	0	0	2	64	0	0	0	0	0	0	0	0	0	0
Thomas Barbo	0	0	0	0	1	36	0	0	0	0	0	0	0	0	0	6
Michael Lafleur	0	0	0	0	1	87	0	0	0	0	0	0	0	0	0	0
Seth Downs	0	0	0	0	5	22h	5	0	0	0	0	0	0	0	0	42
Angus McDonell	4	4	0	0	1	0	0	0	0	0	0	0	0	0	0	1h
James Dingwell	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	6

No. 4.—*Continued.*

By whom furnished, dispatched or accompanied.	Dates written accounts.	Dates passing Coteau du Lac.	Private Boats or Canoes.	King's Boats.	Carriages.	Gallons Jamaica Spirits or Rum.	Gallons Foreign Brandy or Spirits.	Gallons Molasses.	Gallons Madeira Wine.	Gallons Port and all Wines not Madeira.	Lbs. Loaf or Lump Sugar.	Lbs. Muscovado Sugar.	Lbs. Coffee.	Lbs. Leaf Tobacco.	Packs Playing Cards.	Minots Salt.	Remarks.
Henry Barkle	5	5	0	0	2	6	0	0	0	0	0	0	0	0	0	20	
J. Merklie	6	6	0	0	4	8	0	0	0	0	35	0	0	0	0	28	
D. Robertson	0	0	0	0	4	29h	0	0	0	0	0	0	0	0	0	8h	
J. Dunn	7	7	0	0	2	0	0	0	0	0	0	0	0	0	0	31	
P. Branconier	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	12	
A. Bowen	0	0	0	0	3	37	0	0	0	0	0	0	0	0	0	7	
A. Shaver	0	0	0	0	8	168	36	0	0	24	20	0	0	0	0	37	
Farquhar, McDonell, etc.	8	8	0	0	2	0	0	0	0	0	0	0	0	0	0	5h	
J. Weart	0	0	0	0	1	3	0	0	0	0	0	0	0	0	0	6	
Allan McDonell	9	9	0	0	2	3	0	0	0	0	0	0	0	0	0	0	
John Forbes	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	4h	
J. Vonduson	10	10	0	0	1	22	0	0	0	0	0	0	0	0	0	0	
J. Curry	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2	
L. Glasford	11	11	0	0	2	14	0	0	0	0	0	0	0	0	0	8	
N. Consigny	0	0	0	0	2	30	0	0	10	10	0	0	0	0	0	0	
J. & A. McGill & Co.	0	0	0	0	2	73h	9	0	0	37	0	0	0	0	0	0	
J. Laing	0	0	0	0	1	8h	0	0	0	0	0	0	0	0	0	0	
J. Laing	0	0	0	0	1	71h	0	0	0	16¼	0	0	0	0	0	0	
A. McDonell	0	0	0	0	4	3	0	0	0	0	0	0	0	0	0	0	
McGill & Co.	0	0	0	0	2	38	0	0	0	0	147h	0	0	0	0	0	
Parker, Gerrard & Co.	0	0	0	0	3	110	74h	36	0	0	0	272	0	0	0	0	
David Hilborn	0	0	0	0	2	115	37	0	0	12	0	0	0	0	0	0	
P. Howard	0	0	0	0	1	70	0	0	0	0	20	0	0	0	0	0	
E. Adams	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	12	
R. Lewellen	0	0	0	0	1	4	0	0	0	0	0	0	0	0	0	2	
D. McMullan	0	0	0	0	7	28	0	0	0	0	0	0	0	0	0	37½	
Antoine Delisle	11	11	0	0	3	0	0	0	0	0	0	0	0	0	0	20	
P. Dulmage	0	0	0	0	2	0	0	0	0	0	0	20	0	0	0	10	
P. Grander	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2	
H. McDonell	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	3	
M. Sealy	13	13	0	0	2	4	0	0	0	0	0	0	0	0	0	3h	
William Gray	0	0	0	0	1	20½	0	0	0	0	0	0	0	0	0	0	

J. Birdsell	0	0	0	0	1	72	6	0	0	36	12	50	0	0	0	1
Louis Riverre	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	16
Norman McLeod	0	0	0	0	6	0	0	0	0	0	0	0	0	0	0	8h
John McMullan	14	14	0	0	2	0	0	0	0	0	0	0	0	0	0	6
J. Woolrich	0	0	0	0	4	124	135	0	0	3	0	0	0	0	0	4
H. Herrick	15	15	0	0	3	138	6	0	0	0	0	50	0	0	24	12
J. McGilles	10	16	0	0	2	4	0	0	0	0	0	0	0	0	0	2
C. McDonell	0	0	0	0	2	4	0	0	0	0	0	0	0	0	0	8
Isaac Bowman	0	0	0	0	1	8½	0	0	0	0	0	4	0	0	0	0
W. McIntosh	17	17	0	0	2	3	0	0	0	0	0	0	0	0	0	7
W. Cameron	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	2
W. Howet	18	18	0	0	1	5	0	0	0	0	0	0	0	0	0	8
McGill & Co.	0	0	0	0	1	0	0	0	38	0	0	0	0	0	0	0
John Dunn	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	5
John Hooke Campbell	0	0	0	0	4	21	0	0	0	0	0	0	0	0	0	4
W. Cummings	0	0	0	0	1	5	0	0	0	0	0	0	0	0	0	6
Hugh Ross	0	0	0	0	1	3	0	0	0	0	0	0	0	0	0	1
D. McAuley	0	0	0	0	3	37	0	0	0	0	0	20	0	0	0	5
C. Wholar	19	19	0	0	2	0	0	0	0	0	7	0	0	0	0	6
S. Weatherhead	0	0	0	0	2	45½	18	0	0	0	70	0	0	0	0	8
Thomas Decon	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	12
J. Grant	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	4
F. Roy	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	36
J. Lawrence	0	0	0	0	1	13	0	0	0	0	6	0	0	0	0	12
W. Woods	20	20	0	0	2	0	0	0	0	0	0	0	0	0	0	24
A. McDonell	0	0	0	0	3	4	0	0	0	0	0	0	0	0	0	8
Allan Kennedy	0	0	0	0	5	7	0	0	0	0	0	0	0	0	0	15
John McDonald	20	20	0	0	1	10	0	0	0	0	0	0	0	0	0	1
D. McDonald	0	0	0	0	1	5½	0	0	0	0	0	0	0	0	0	3
Wm. Bryan	21	21	0	0	3	0	0	0	0	0	0	0	0	0	0	22
P. Featherley	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	9
Hugh McDonell	22	22	0	0	1	0	0	0	0	0	0	0	0	0	0	1
P. Moriseau	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	20
Nathan Denison	23	23	0	0	3	16	8	0	0	0	6¼	0	0	0	0	24
G. Wates	0	0	0	0	2	0	6	0	0	0	0	0	0	0	0	20
J. Catharette	24	24	0	0	1	0	0	0	0	0	0	0	0	0	0	14
J. McCuiag	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	3
M. Row	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	8
J. Doren	0	0	0	0	1	5	0	0	0	0	0	0	0	0	0	5
A. McDonell	26	26	0	0	3	9	0	0	0	0	0	0	0	0	0	9
Keneth Merkinson	0	0	0	0	3	8	0	0	0	0	9	0	0	0	0	6
B. McVagh	27	27	0	0	2	4	16	0	0	0	0	0	0	0	0	24
D. Campbell	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2
B. Nader	0	0	0	0	1	122	0	0	0	0	0	0	0	0	0	0
Hugh Munro	0	0	0	0	2	0	16	0	0	8	0	0	0	0	0	8

No. 4.—*Continued.*

By whom furnished, dispatched or accompanied.	Dates written accounts.	Dates passing Coteau du Lac.	Private Boats or Canoes.	King's Boats.	Carriages.	Gallons Jamaica Spirits or Rum.	Gallons Foreign Brandy or Spirits.	Gallons Molasses.	Gallons Madeira Wine.	Gallons Port and all Wines not Madeira.	Lbs. Loaf or Lump Sugar.	Lbs. Muscovado Sugar.	Lbs. Coffee.	Lbs. Leaf Tobacco.	Packs Playing Cards.	Minots Salt.	Remarks.
Wm. Urquhart	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	5h	
P. Snider	0	0	0	0	2	14	0	0	0	0	0	0	0	0	0	12	
P. Bonehomme, etc.	0	0	0	0	6	4	0	0	0	0	0	0	0	0	0	68	
A. McDonell	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2	
Levy Bailey	0	0	0	0	3	21	0	0	0	0	0	0	0	0	0	21	
J. McDonell and others	28	28	0	0	5	13	0	0	0	0	0	0	0	0	0	10	
John McDonald	0	0	0	0	3	8	0	0	0	0	0	0	0	0	0	9	
A. Hartle	Mar.	1	0	0	1	0	0	0	0	0	0	0	0	0	0	4	
A. Cameron	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	3	
J. Wright	0	0	0	0	1	8	0	0	0	0	0	0	0	0	0	10	
B. Marsh	6	6	0	0	1	5	8	0	0	0	0	0	0	0	0	0	
A. Merkinson	9	9	0	0	1	8	2	0	0	0	0	0	0	0	0	0	
R. Wharffe	0	0	0	0	4	0	0	0	0	0	0	0	0	0	0	36	
J. Catharatte	10	10	0	0	2	0	0	0	0	0	0	0	0	0	0	14	
F. Baupre	0	0	0	0	1	56	0	0	0	0	0	0	0	0	0	0	
A. McDonell	12	Ma. 12	0	0	3	9	8½	0	0	0	0	0	0	0	0	13	
J. Ferguson	13	13	0	0	2	9¼	0	0	0	0	0	0	0	0	0	0	
J. McDonald	0	0	0	0	2	106	0	0	0	0	0	0	0	0	0	4	
A. McMullan	0	0	0	0	2	37	0	0	0	0	0	0	0	0	0	7	
A. McDonell	0	0	0	0	3	3	0	0	0	0	0	0	0	0	0	1	
J. McDougald & others	14	14	0	0	4	186	0	0	0	0	0	0	0	0	0	4	
J. Farrand	16	16	0	0	1	12	0	0	14½	15	50	79	0	0	0	0	
J. McGilles	0	0	0	0	1	17	0	0	0	0	0	0	0	0	0	0	
A. McDonell	Ap.	5	1	0	0	220	0	0	0	0	0	0	0	0	0	0	
J. Grant	7	7	2	0	0	0	0	0	0	0	114	0	0	0	0	44	
McTavish	12	12	6	0	0	0	0	0	0	0	0	0	0	0	0	182	
J. Tuttle	0	0	1	0	0	36½	0	0	0	0	0	0	0	0	0	0	
John Hare	0	0	0	0	1	6	0	0	0	0	0	0	0	0	0	1	
H. Pelerin	0	0	0	2	0	6	0	0	37	109	198	25	6	0	0	0	
G. and Glen.	13	13	1	0	0	109	27	0	0	0	0	0	0	0	0	0	
Auldjo, Maitland & Co.	11	0	1	0	0	292	0	0	0	74	146	0	0	0	0	16	
J. P. Leprohon	13	15	1	0	0	54	0	0	0	100	0	0	0	0	0	0	

D. David	6	0	2	0	0	162	0	0	9	120½	0	0	0	0	0	0
Parker, Gerrard & Co.	13	15	1	0	0	99	0	0	0	0	0	0	0	0	0	0
D. David	14	0	1	0	0	270	0	0	0	81	0	0	0	0	0	0
Forsyth & Co.	0	0	1	0	0	88	0	0	0	36	0	0	0	0	0	0
M. Michaels	0	0	1	0	0	72	0	0	0	63	0	0	0	0	0	0
Forsyth and Co.	11	17	2	0	0	308	0	0	0	37	300	336	0	0	0	16
David David	0	18	1	0	0	48	0	0	0	0	0	0	0	0	0	0
J. Woolrich	0	0	1	0	0	384	0	0	0	72	0	0	0	0	0	0
Joseph Biron	0	0	1	0	0	72	0	0	0	0	0	0	0	0	0	0
Leith, Jameson & Co.	10	21	1	0	0	187½	0	0	37	112½	0	0	0	0	0	0
J. & A. McGill & Co.	21	23	3	0	0	795	0	0	0	128	0	0	0	0	0	20
P. Gerrard & Co.	20	0	1	0	0	36h	74	0	72	72½	150	0	0	0	0	20
Forsyth & Co.	27	20	1	0	0	55	0	37	37	18	33	0	0	0	0	0
James Dunlap	0	0	1	0	0	0	74½	0	18½	135	54¼	0	0	0	0	0
J. W. Clarke	May 1	May 1	0	4	0	0	0	0	73	181	224	224	0	0	0	0
P. Robertson	Ju. 22	3	0	6	0	0	0	0	0	38	0	0	0	0	0	0
J. & A. McGill & Co.	May 1	3	1	0	0	189½	0	0	0	37h	0	0	0	0	0	40
J. Grant	4	5	1	0	0	36	0	0	0	0	0	0	0	0	0	0
J. Dunn	5	0	1	0	0	0	0	0	0	0	0	0	0	0	0	3
William Loucks	9	9	1	0	0	111	9	0	0	0	0	0	0	0	0	8
J. Gray	9	11	1	0	0	191	0	0	36	100	395	237	0	0	0	0
McTavish & Co.	11	13	2	0	0	0	9	0	47	0	0	0	0	0	0	81
Donald McDonald	14	14	1	0	0	20	0	0	0	0	0	0	0	0	0	0
Auldjo Maitland & Co.	0	0	0	1	0	36	0	0	9	12	40	0	0	0	0	4
Leith & Co.	15	16	1	0	0	297h	109h	0	135½	73	277	0	86	0	0	16
Forsyth & Co.	0	0	1	0	0	0	0	0	0	0	98	0	0	0	0	0
Auldjo, Maitland & Co.	10	0	0	4	0	84	6	0	10	36	63	0	0	0	0	4½
A. McDonell	19	18	1	0	0	26	0	0	0	0	0	0	0	0	0	0
Thomas Proctor	22	22	0	0	0	37	45	0	0	0	0	0	0	0	0	4
J. Grant	29	0	4	0	0	0	0	0	0	0	0	0	0	0	0	200
do	27	27	2	0	0	181	0	0	72	72	0	0	0	0	0	24
Forsyth & Co.	22	0	2	0	0	254	0	0	73	0	0	0	0	0	0	40
G. and Glen	27	29	1	0	0	97	0	9	0	0	0	0	0	0	0	8
McTavish	20	0	4	0	0	0	37h	0	37½	0	0	0	0	0	0	280
John Lees	29	3	0	2	0	16	0	0	30	0	0	0	0	0	0	0
John Grant	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	96
Forsyth & Co.	Jun.1	3	2	0	0	182	0	0	74	0	0	0	0	0	0	8
John Tuttle	3	3	1	0	0	93	9	0	0	9	0	0	0	0	0	16
J. A. McGill & Co.	0	4	4	0	0	448	0	0	76	0	0	0	0	0	0	0
James Dunlap	4	9	4	0	0	517	0	0	0	0	106h	0	0	0	0	0
Forsyth & Co.	0	10	4	0	0	0	0	0	0	0	0	0	736	0	0	0
D. David	1	12	5	0	0	330	0	9	0	0	215	0	27	0	0	176
John Grant	10	13	3	0	0	0	0	0	0	0	330	0	0	0	288	0
do	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	96

No. 4.—*Continued.*

By whom furnished, dispatched or accompanied.	Dates written accounts.	Dates passing Coteau du Lac.	Private Boats or Canoes.	King's Boats.	Carriages.	Gallons Jamaica Spirits or Rum.	Gallons Foreign Brandy or Spirits.	Gallons Molasses.	Gallons Madeira Wine.	Gallons Port and all Wines not Madeira.	Lbs. Loaf or Lump Sugar.	Lbs. Muscovado Sugar.	Lbs. Coffee.	Lbs. Leaf Tobacco.	Packs Playing Cards.	Minots Salt.	Remarks.
McGill & Co.	10	15	5	0	0	0	0	0	0	112h	0	0	0	0	0	0	
E. Jones	0	0	2	0	0	152	76	0	50	0	0	0	0	0	0	84	
John Grant	0	0	6	0	0	0	0	0	0	140	100	0	0	0	144	104	
Hugh Munro	15	16	1	0	0	8	20	0	0	0	0	0	0	0	0	8	
Auldjo & Co.	9	16	2	0	0	108	0	0	0	34	0	0	0	0	0	0	
McTavish & Co.	16	18	6	0	0	0	0	0	0	149h	0	0	0	0	0	0	
John Grant	16	Ju. 20	2	0	0	37h	0	0	0	109h	0	0	0	0	144	0	
James Dunlap	17	0	2	0	0	75	0	0	0	33h	0	0	0	0	0	0	
Forsyth & Co.	23	24	4	0	0	186	0	0	37	110	0	0	0	0	48	0	
John Grant	0	0	3	0	0	73	0	0	0	0	0	0	0	0	0	0	
Auldjo & Co.	0	25	4	0	0	150	0	0	0	147	0	0	0	0	0	0	
N. Consigny	27	27	1	0	0	30	0	0	0	17	11	0	5	0	0	14	
John Grant	0	0	6	0	0	144	0	0	0	36h	100	0	0	120	0	24	
D. Campbell	0	0	0	0	0	280	27	0	18	0	0	0	0	0	0	0	
John McDougald	0	0	0	0	0	75	0	0	0	0	0	0	0	0	0	1	
Frederick Luifs	28	28	1	0	0	10	0	0	0	0	0	12	0	0	0	8h	
Donald Mackay	0	0	0	0	0	19	0	0	0	0	0	0	0	0	0	0	
J. A. McGill & Co.	27	30	5	0	0	149	38	0	0	114	663	0	0	0	0	0	
General Total			134	38	422	12,166¾	1,392	109	1,080h	3,054¾	4,379	2,933	888	120	653	3,217h	

RECAPITULATION.

Private Boats	No.	134
King's Boats	No.	38
Carriages	No.	422
Jamaica Spirits or Rum	Gallons	12,166¾
Brandy (or Foreign Spirits)	Gallons	1,392
Molasses	Gallons	109
Madeira Wine	Gallons	1,080h
Port Wine, etc.	Gallons	3,054¾
Loaf or Lump Sugar	Lbs.	4,379
Muscovado Sugar	Lbs.	2,933
Coffee	Lbs.	888
Leaf Tobacco	Lbs.	120
Playing Cards	Packs	653
Salt	Minots	3,217h

DISTRICT
OF MONTREAL

Before me, Louis de Coigne Mars, one of His Majesty's Justices of the Peace for the District of Montreal, personally appeared, WILLIAM FRASER, Inspector of Dutiable Articles, at Coteau du Lac, who, being duly sworn on the Holy Evangelists of Almighty God, deposeth and saith the above is a just and true Account of all Dutiable Articles which have passed Coteau du Lac upwards, between the 1st January and the 30th June, 1801, as far as the same have come to his knowledge.

Soullange, this 11th of July, 1801.

(Signed) WILLIAM FRASER, *Inspector.*

(Signed) L. DE COIGNE MARS, J.P.

Errors excepted.
York, 25th May, 1802.
JOHN MCGILL, *Inspector General Provincial Accounts.*

GENERAL Account of Articles (on which Duties on Importation are imposed by the Legislature of Lower Canada), which have passed Coteau du Lac downwards, from the 1st January to the 30th June, 1801, agreeable to written Accounts thereof received, or as ascertained on examination of Carriages according to the Act.

NO NE.

DISTRICT OF MONTREAL, SS.

Before me, Louis de Coigne Mars, Ecuyer, one of His Majesty's Justices of the Peace for the District of Montreal, personally appeared, WILLIAM FRASER, Inspector of Dutiable Articles at Coteau du Lac, who, being duly sworn on the Holy Evangelists of Almighty God, deposeth and saith, that no Dutiable Articles passed Coteau du Lac downwards, between the 1st January and the 30th June, 1801, as far as the same have come to his knowledge.

Soullange, this 11th of July, 1801.

(Signed) WILLIAM FRASER, *Inspector.*

(Signed) LOUIS DE COIGNE MARS, J.P.

Errors excepted.
York, 25th May, 1802.
JOHN MCGILL, *Inspector General Provincial Accounts.*

General Account of Articles on which Duties are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards, from the 1st July to the 31st December, 1801, agreeable to written Accounts thereof received, or as ascertained on Examination of Carriages according to the Act.

By whom furnished, dispatched, or accompanied.	Dates written accounts.	Dates passing Coteau du Lac.	Private Boats or Canoes.	King's Boats.	Carriages.	Gallons Jamaica Spirits or Rum.	Gallons Foreign Brandy or Spirits	Gallons Molasses.	Gallons Madeira Wine	Gallons Port and all Wines not Madeira.	Lbs. Loaf or Lump Sugar.	Lbs. Muscovado Sugar.	Lbs. Coffee.	Lbs. Leaf Tobacco.	Packs Playing Cards.	Minots Salt.	Manufactured Tobacco, du. pd.	Snuff or Flour of Tobacco.	Remarks.
J. Grant	June 30	July 1	2	0	0	0	0	0	0	0	0	0	0	0	144	0	0	0	
Martin Tillebough	July 2	2	1	0	0	3	0	0	0	0	0	0	0	0	0	5	0	0	
Forsyth & Co.	0	0	6	0	0	74	0	0	0	184	148	0	66	0	24	0	0	0	
John Cameron	0	0	1	0	0	372	27	6	0	27	27	0	0	0	0	4h	0	0	
E. Carley	0	5	1	0	0	36	0	0	0	26	6	0	0	0	0	26h	0	0	
H. Munro	0	0	1	0	0	210	24	0	0	35	0	0	0	0	0	16	0	0	
C. Jones	3	0	1	0	0	111	0	0	0	0	287	0	10	0	24	0	0	0	
Burton & McCulloch	4	6	2	0	0	0	0	0	0	0	123	0	0	0	0	68	0	0	
J. Dunlop	5	0	3	0	0	109	0	0	0	148	0	0	0	0	0	0	0	0	
J. Labille	0	0	5	0	0	0	0	0	0	140	0	0	0	0	0	0	0	0	
Auldjo & Co.	6	7	2	0	0	0	0	0	0	0	280	0	0	0	0	0	0	0	
Forsyth & Co.	7	8	6	0	0	0	0	0	0	37	0	0	0	0	0	0	0	0	
Joseph Biron	7	6	1	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	
Augs. Ranger	8	8	1	0	0	102	0	0	0	0	0	0	0	0	0	6	0	0	
Auldjo & Co.	7	8	2	0	0	112	0	0	9	109	586	0	0	0	0	4	0	0	
Parker & Co.	2	0	3	0	0	36h	36	0	0	36	385	0	0	0	48	0	0	0	
William Loucks	7	7	1	0	0	12	0	0	0	0	0	0	0	0	0	0	0	0	
John Grant	9	11	2	0	0	324	0	0	0	36	0	0	0	0	0	0	0	0	
N. Norton	0	0	1	0	0	0	0	0	0	0	10h	0	0	0	0	0	0	0	
J. & A. McGill & Co.	11	13	5	0	0	0	0	0	0	0	0	0	0	0	228	0	0	0	
J. Grant	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	48	0	0	
Forsyth & Co.	1	9	0	2	0	74	0	0	0	0	0	0	0	0	0	28	0	0	
Auldjo & Co.	0	0	0	2	0	147	0	0	0	0	64	0	0	0	0	12	0	0	
James Dunlop	0	0	0	1	0	9	0	4	9	9	40	0	1	0	0	0	0	0	
do	0	0	0	1	0	0	9	0	0	72	174	0	0	0	0	0	0	0	
McGill & Co.	11	13	4	0	0	0	0	0	37h	0	0	0	0	0	0	0	0	0	
Parker & Co.	10	0	3	0	0	148	36	0	0	36h	282	0	0	0	0	0	0	0	
Leith, Jameson & Co.	9	0	3	0	0	0	0	0	37	37h	0	0	0	0	0	0	0	0	

H. Marckle	13	0	1	0	0	156	20	0	0	9	0	0	0	0	0	20	0	0
Joel Stone	0	0	1	0	0	8	0	0	8	57	27	0	0	0	0	0	0	0
D. Campbell	15	15	0	0	3	110	0	0	0	10	0	0	0	0	0	0	0	0
Wm. Lariie	17	17	1	0	0	54	40	0	0	9	36	0	0	0	0	0	0	0
Wm. McPherson	0	0	0	0	2	243	0	0	0	0	0	0	0	0	0	9	0	0
John Grant	0	0	1	0	0	96	0	0	0	0	0	0	0	0	0	0	0	0
do	0	0	2	0	0	116	0	0	0	0	200	0	0	0	288	4	0	0
do	16	18	1	0	0	0	0	0	0	0	0	0	0	0	0	60	0	0
Forsyth & Co.	13	0	6	0	0	0	0	0	36	148h	638	0	0	0	0	12	0	0
Parker & Co.	17	17	3	0	0	109	31	0	0	0	0	0	0	0	36	0	0	0
McGill & Co.	18	18	4	0	0	0	0	0	0	114	0	0	0	0	0	0	0	0
J. Grant	0	20	2	0	0	216	0	0	28	30	0	0	0	0	0	0	0	0
Wm. Loucks	0	0	1	0	0	111	9	0	0	37	6	0	0	0	0	16	0	0
Auldjo & Co.	0	0	2	0	0	262	6	51	0	72	0	0	0	0	0	0	0	0
J. Grant	20	23	2	0	0	45	0	0	28	0	0	0	0	0	0	28	0	0
Parker & Co.	21	24	1	0	0	145h	0	0	0	112h	160	0	0	0	0	0	0	0
Richard Loucks	24	0	1	0	0	111	82	0	0	44	0	0	0	0	0	28	0	0
McGill & Co.	21	0	4	0	0	117h	0	0	0	0	0	0	0	0	0	4	0	0
Forsyth & Co.	21	0	6	0	0	1,194h	0	0	0	0	0	0	0	0	0	0	0	0
J. Grant	24	0	4	0	0	0	0	0	0	0	0	0	0	0	0	120	0	0
A. Maitland & Co.	0	26	2	0	0	0	0	37	0	74	0	0	0	0	0	0	0	0
A. Dunlop	27	30	2	0	0	588	0	0	0	0	0	0	0	0	0	0	0	0
J. & A. McGill & Co.	29	31	2	0	0	0	0	0	0	0	0	0	0	0	0	80	0	0
Hugh McDonell	30	0	3	0	0	150	0	0	0	0	0	0	0	0	0	0	0	0
Wm. McPherson	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	30	0	0
J. & A. McGill & Co.	28	0	3	0	0	37h	0	0	73h	75	326	0	0	0	0	0	0	0
S. Perry	31	0	0	0	1	78	0	0	0	0	0	0	0	0	0	0	0	0
		Aug																
H. Pelerin	0	2	0	6	0	702	0	0	0	0	0	0	0	0	0	0	0	0
Forsyth & Co.	29	0	3	0	0	185	37	0	0	73h	53	0	0	0	0	0	0	0
Begon de Lisle	0	0	0	0	2	193	0	0	0	0	0	0	0	0	0	0	0	0
E. Smith	5	5	2	0	0	73h	0	0	0	36h	22	0	4	0	0	6h	0	0
Parker, Gerrard & Co.	0	0	0	1	0	0	0	0	0	0	375	0	110	0	0	28	0	0
Auldjo & Co.	5	6	2	0	0	491	37	0	0	108	0	0	0	0	0	0	0	0
McGill & Co.	4	7	3	0	0	0	0	0	0	113	153	0	0	0	0	0	0	0
Leith, Jameson & Co.	5	7	3	0	0	38	0	0	0	0	0	304	0	0	0	48	0	0
J. Dunlop	12	14	2	0	0	288	0	0	0	0	0	0	0	0	0	0	0	0
J. Laing	0	0	1	0	0	147	27	0	0	45h	0	0	0	0	0	0	0	0
J. Grant	6	10	3	0	0	36h	0	0	0	36h	0	0	0	0	0	0	0	0
J. Munro	10	0	1	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0
McTavish & Co.	5	7	2	0	0	0	0	0	75h	0	0	0	0	0	0	0	0	0
Paul Glasford	0	0	1	0	0	116	0	0	0	3	0	0	0	0	0	16	0	0
Auldjo, Maitland & Co.	12	14	2	0	0	227	0	0	15	0	140	0	0	0	0	50	0	0
J. Grant	16	18	1	0	0	146	0	0	0	0	0	0	0	0	0	0	0	0
Leith & Co.	11	11	1	0	0	219h	0	0	0	75h	0	0	0	0	0	0	0	0

General Account of Articles on which Duties are Imposed by the Legislature of Lower Canada.—*Continued.*

By whom furnished, dispatched, or accompanied.	Dates written accounts.	Dates passing Coteau du Lac.	Private Boats or Canoes.	King's Boats.	Carriages.	Gallons Jamaica Spirits or Rum.	Gallons Foreign Brandy or Spirits	Gallons Molasses.	Gallons Madeira Wine.	Gallons Port and all Wines not Madeira.	Lbs. Loaf or Lump Sugar.	Lbs. Muscovado Sugar.	Lbs. Coffee.	Lbs. Leaf Tobacco.	Packs Playing Cards.	Minots Salt.	Manufactured Tobacco, du. pd.	Snuff or Flour of Tobacco.	Remarks,
McGill & Co.	17	19	2	0	0	0	0	0	18	0	355	0	0	0	48	0	0	0	
do	0	0	4	0	0	36	0	0	0	149	346	0	0	0	24	0	0	0	
McTavish & Co.	18	20	4	0	0	0	0	0	0	228	0	0	0	0	0	0	0	0	
J. Laing	0	0	1	0	0	104	0	0	0	0	0	0	0	0	0	0	0	0	
J. Grant	0	0	3	0	0	110	0	0	0	0	0	0	0	0	0	0	0	0	
H. Pelerine	0	0	0	8	0	3,280h	0	0	0	35	144	0	0	0	12	18	0	0	
Carew Bargar	24	24	1	0	0	264	0	0	0	0	0	0	0	0	0	0	0	0	
Peter Grant	0	0	1	0	0	111	27	0	0	0	24	0	0	0	0	54	0	0	
Leith, Jameson & Co.	0	0	2	0	0	335h	0	0	223h	73h	336	0	125	0	0	16	0	0	
Auldjo & Co.	17	0	2	0	0	74	0	0	37	36	136	0	0	0	0	8	0	0	
J. Grant	20	25	2	0	0	0	0	0	0	0	0	0	0	0	0	72	0	0	
Angus McDonell	27	27	1	0	0	107	9	0	0	0	0	0	0	0	0	0	0	0	
Forsyth & Co.	26	29	4	0	0	111	12	18	108	110	263	86	140	0	24	0	0	0	
J. Grant	24	0	1	0	0	132	0	0	0	0	0	0	0	0	0	0	0	0	
D. Davids	21	30	4	0	0	0	0	0	10	0	0	0	0	0	6	20	0	0	
Parker & Co.	28	0	4	0	0	146h	0	73h	123	145h	73	2,383	40	0	60	20	0	0	
James Dunlop	0	0	2	0	0	483	74h	0	0	109h	239¾	0	3	0	0	16	0	0	
		Sep.																	
Forsyth & Co.	30	1	0	8	0	2,131	0	37	137h	423	913	1,120	0	0	0	248	0	0	
McGill & Co.	29	0	3	0	0	915h	0	0	150h	0	137	529	455¼	0	0	16	0	0	
John Grant	30	2	2	0	0	288	0	0	28	0	0	0	0	0	0	0	0	0	
John McIntire	31	0	0	0	2	29	0	0	0	4	0	0	0	0	0	4	0	0	
	Sep,																		
Forsyth & Co.	1	3	4	0	0	84h	0	0	77h	151h	174h	147	26h	0	0	0	0	0	
J. Laing	0	0	2	0	0	27	0	0	0	0	0	0	0	0	0	104	0	0	
Leith, Jameson & Co.	0	0	2	0	0	559h	0	0	0	74	0	0	0	0	0	24	0	0	
Leith, Jameson & Co.	0	0	1	0	0	372	0	0	0	0	0	0	0	0	0	0	0	0	
J. Grant	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	60	0	0	
J. Grant	0	0	3	0	0	432	0	0	0	0	0	0	0	0	0	24	0	0	
John Tuttle	0	0	1	0	0	46h	0	0	0	0	7	0	0	0	0	0	0	0	
McTavish & Co.	3	5	9	0	0	0	0	0	38	0	0	0	0	0	0	0	0	0	
McGill & Co.	2	0	4	0	0	366h	0	0	0	0	101	0	0	0	0	40	0	0	

J. Grant	4	6	2	0	0	0	0	0	28h	36	0	0	0	0	0	28	0	0
Parker & Co.	5	7	3	0	0	181h	0	0	0	0	0	0	0	0	0	28	0	0
J. Grant	0	8	5	0	0	0	0	0	0	0	0	0	0	0	0	164	0	0
J. Grant	0	0	4	0	0	972	0	0	0	224	0	0	0	0	0	4	0	0
J. Grant	9	10	3	0	0	0	0	0	0	0	0	0	0	0	0	60	0	0
Leith, Jameson & Co.	10	12	3	0	0	705h	0	0	0	149h	28	0	56h	0	0	0	0	0
Forsyth & Co.	0	14	5	0	0	112h	0	0	0	0	0	0	0	0	72	8	0	0
J. & A. McGill & Co.	12	0	2	0	0	0	0	0	37	285h	150	0	0	0	0	0	0	0
J. & A. McGill & Co.	0	0	2	0	0	288	0	55	0	146h	152	0	0	0	0	0	0	0
Joseph Stoneburner	15	15	1	0	0	44h	0	0	0	0	0	0	0	0	0	20	0	0
Parker & Co.	0	17	3	0	0	36	0	0	166	74	156	0	0	0	0	28	0	0
Forsyth & Co.	16	18	4	0	0	456	0	0	0	64	0	0	0	0	0	8	0	0
John Grant	17	19	2	0	0	78h	0	0	36	36	0	0	0	0	0	16	0	0
Auldjo & Co.	16	0	2	0	0	160	39	10	0	0	0	1,807	0	0	0	4	0	0
L. P. Sherwood	18	0	1	0	0	129	0	0	0	28	0	28	0	0	0	28	0	0
J. Dunlop	0	21	0	4	0	1,606h	36	0	0	287h	119h	810	0	0	0	40	0	0
Forsyth & Co.	16	0	4	0	0	456	0	0	0	64	0	0	0	0	0	8	0	0
Thomas Fraser	25	25	1	0	0	18	18	0	0	9	50	112	0	0	0	28	0	0
J. Bie	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	32	0	0
Parker & Co.	23	0	3	0	0	0	0	0	0	0	0	0	0	0	0	60	0	0
E. Jones	26	26	3	0	0	124	0	36	0	140	0	0	0	0	0	140	0	0
J. Grant	22	0	1	1	0	72	0	0	0	0	0	0	0	0	0	0	0	0
Andrew Heron	Oct.1	Oct.1	1	0	0	414h	0	0	0	38	153	348	0	0	0	0	0	0
Parker & Co.	Sr.30	0	1	0	0	37	0	0	0	37h	142	0	0	0	0	40	0	0
J. Dunlop	26	0	3	0	0	370h	0	0	0	72h	0	83	0	0	0	0	0	0
J. & A. McGill & Co.	Oct.1	3	4	0	0	1,161	9	0	0	76	635	432	0	0	0	20	0	0
John Gray	0	0	1	0	0	110	0	0	72	0	0	0	0	0	0	0	0	0
Forsyth & Co.	6	11	2	0	0	743	0	0	36	74	54	87	0	0	0	20	0	0
Leith, Jameson & Co.	0	0	3	0	0	536h	0	0	154	187h	251¾	139	0	0	0	4	0	0
J. Dunlop	7	12	2	0	0	372	0	37	37	0	0	606	0	0	0	0	0	0
Auldjo, Maitland & Co.	8	0	1	0	0	642	30	0	0	39	0	6	0	0	0	0	0	0
Michael Houghenett	13	13	1	0	0	282	37	0	48	0	137	200	0	0	0	0	0	0
J. Grant	0	0	0	0	1	9	0	0	0	0	0	0	0	0	0	0	0	0
P. Gerrard & Co.	0	0	1	0	0	0	0	0	0	0	61	0	0	0	0	54	0	0
J. Grant	12	16	3	0	0	288	0	0	0	0	0	0	0	672	0	24	0	0
J. Laing	16	18	1	0	0	0	0	0	0	0	0	0	0	0	0	56	0	0
J. Brownell	21	21	1	0	0	8h	71h	0	0	0	0	0	0	0	0	36	0	0
F. Daroi	22	22	0	0	3	148	0	0	0	0	0	0	0	0	0	3	0	0
J. Laing	17	23	1	0	0	89h	0	0	0	0	0	0	0	0	0	8	0	0
Henry Anderson	25	25	1	0	0	108	18	0	0	9	0	0	0	0	0	24	0	0
J. Baby	22	22	3	0	0	366h	0	0	73	73h	103	0	217	0	24	0	0	0
Richard Loucks	25	25	1	0	0	335	18	0	0	36	0	0	0	4	0	2	0	0
Parker & Co.	24	26	1	0	0	505	0	36	56	37	0	0	0	0	0	4	0	0
P. Langau	20	20	0	2	0	0	0	0	55	0	0	0	0	0	0	0	0	0
Auldjo & Co.	23	26	5	0	0	1,368	27	0	336	709	142	3	0	0	72	0	0	0

General Account of Articles on which Duties are Imposed by the Legislature of Lower Canada.—*Continued.*

By whom furnished, dispatched, or accompanied.	Dates written accounts.	Dates passing Coteau du Lac.	Private Boats or Canoes.	King's Boats.	Carriages.	Gallons Jamaica Spirits or Rum.	Gallons Foreign Brandy or Spirits	Gallons Molasses.	Gallons Madeira Wine.	Gallons Port and all Wines not Madeira.	Lbs. Loaf or Lump Sugar.	Lbs. Muscovado Sugar.	Lbs. Coffee.	Lbs. Leaf Tobacco	Packs Playing Cards.	Minots Salt.	Manufactured Tobacco, du. pd.	Snuff or Flour of Tobacco.	Remarks.
J. Laing	24	0	1	0	0	37¾	55h	0	0	34	0	0	0	0	0	8	0	0	
John Curry	Nr. 1	Nr, 1	0	0	1	84	0	0	0	0	0	0	0	0	0	0	0	0	
J. Cameron	0	0	1	0	0	216	24	0	0	8	7h	0	0	0	0	4	0	0	
Daniel Biffett	0	0	1	0	0	180	8	0	0	8	0	0	0	0	0	20	0	0	
Jean Renau	2	2	2	0	0	296	0	0	0	63	0	0	0	0	0	64	0	0	
Jason Wells	5	5	1	0	0	60	0	0	0	36	0	0	0	0	0	20	0	0	
John Grant	Oc.31	5	1	0	0	288	0	0	0	0	0	0	0	0	0	12	0	0	
John Grant	Nr. 4	10	1	0	0	224	0	0	0	0	0	0	0	0	0	44	0	0	
J. Crysler	0	0	2	0	0	396	0	0	0	18	0	0	0	0	68	0	0	0	
Wm. McQueen	0	0	1	0	0	200	0	0	0	0	0	0	0	0	0	0	0	0	
A. McDonell	11	14	1	0	0	140	0	0	0	0	0	0	0	0	25	0	0	0	
L. Latourelle	23	23	1	0	0	0	0	0	0	0	0	0	0	0	80	0	0	0	
Nathan Denison	Dec.1	Dec.1	0	0	4	136	0	0	0	0	0	0	0	0	0	0	0	0	
John Dunn	20	20	0	0	1	2	0	0	0	0	0	0	0	0	2	0	0	0	
J. McCuiag	21	21	0	0	3	11	0	0	0	0	0	0	0	0	5	0	0	0	
John Ross and others	22	22	0	0	14	53	0	0	0	0	0	0	0	0	53	0	0	0	
A. McDonell and others	23	23	0	0	18	140	0	0	0	0	0	0	0	0	31b	0	0	0	
A. McGillivray and "	0	0	0	0	10	20	0	0	0	0	0	0	0	0	20	0	0	0	
A McMullan and others	24	24	0	0	20	433	9h	0	0	14	6	0	0	0	6	0	0	0	
John McDonell and "	25	25	0	0	10	118	0	0	0	2	0	0	0	0	16	0	0	0	
A. McLeod	26	26	0	0	2	9	0	0	0	0	0	0	0	0	3	0	0	0	
J. Calders	28	28	0	0	2	7h	0	0	0	0	0	0	0	0	4	0	0	0	
A. Campbell and others	0	0	0	0	2	8	0	0	0	0	0	0	0	0	13h	23	0	0	
A. Grant and others	0	0	0	0	11	32h	0	0	0	0	0	0	0	0	20	24	0	0	
Wm. Wood and others	0	0	0	0	8	76	0	0	0	0	0	0	0	0	19h	33	0	0	
A McGill & Co.	23	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2,192¼	0	0	
McTavish & Co.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2,975	0	0	
Leith, Jameson & Co.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	972	0	0	
James Dunlop	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	150	0	0	
Leframboise & Nicoll	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	178	0	0	
Auldjo, Maitland & Co.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	728	0	0	
Atkin & R. Pattinson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2,802	0	0	
General Total	.....	.....	318	35	120	357443/4	944	400h	2,442	6.871h	10154h	9,230	1,254¼	1,134	3,067	100771/4	0	976	

RECAPITULATION.

Private Boats	No.	318	Loaf or Lump Sugar	Lbs.	10,154h
King's Boats	No.	35	Muscovado Sugar	Lbs.	9,230
Carriages	No.	120	Coffee	Lbs.	1,254h
Jamaica Spirits or Rum	Gallons	35,744¾	Leaf Tobacco	Lbs.	676
Brandy (or Foreign Spirits)	Gallons	944	Playing Cards	Packs	1,134
Molasses	Gallons	400h	Salt	Minots	3,067
Madeira Wine	Gallons	2,442	Manufactured Tobacco	Lbs.	10,077¼
Port Wine, etc.	Gallons	6,871h	Snuff, or Flour of Tobacco	Lbs.	0

District of Montreal—ss.

Before me, Chartier de Lotbiniere, Esquire, one of His Majesty's Justices of the Peace for the District of Montreal, personally appeared, William Fraser, Inspector of dutiable articles at Coteau du Lac, who being duly sworn on the Holy Evangelists of Almighty God, deposeth and saith the within is a just and true account of all dutiable articles which have passed Coteau du Lac upwards, between the 1st July and the 31st December, 1801, as far as the same have come to his knowledge.

(Signed) WILLIAM FRASER, *Inspector.*

Vaudreuil, 7th January, 1802.
(Signed) CHARTIER DE LOTHBINIERE, J.P.

Errors excepted,
York, 25th May, 1802.
(Signed) JOHN MCGILL,
Inspector General Provincial Accounts.

General account of articles (on which duties on importation are imposed by the Legislature of Lower Canada) which have passed Coteau du Lac downwards, from the 1st July to the 31st December, 1801, agreeable to written accounts thereof, or as ascertained on examination of carriages according to the Act.

NONE.

District of Montreal—ss.

Before me, Chartier de Lotbiniere, Esquire, one of His Majesty's Justices of the Peace for the District of Montreal, personally appeared, William Fraser, Inspector of dutiable articles at Coteau du Lac, who being duly sworn on the Holy Evangelists of Almighty God, deposeth and saith, that no dutiable articles passed Coteau du Lac downwards, between the 1st July and the 31st December, 1801, as far as the same have come to his knowledge.

(Signed) WILLIAM FRASER, *Inspector.*

Vaudreuil, the 7th of January, 1802.
(Signed) CHARTIER DE LOTBINIERE, J.P.

Errors excepted,
York, 25th May, 1802.
(Signed) JOHN MCGILL,
Inspector General Provincial Accounts.

Account of duties collected by Wm. Jarvis, Esquire, Secretary of the Province, on shop, tavern and still licenses, under the Provincial Acts of the 33rd and 34th of His Majesty, between the 5th April, 1801, and 5th April, 1802.

Districts.	Shop and Tavern Licenses. £	s.	d.	Still Licenses. £	s.	d.	Total. £	s.	d.	
Western	30	0	0	49	10	0	79	10	0	N.B.—The return from this district only includes the period between the 5th April and 31st December, 1801.
London	5	0	0	33	19	8¼	38	19	8¼	
Niagara	49	0	0	160	13	9	209	13	9	
Home	19	0	0	43	11	3	62	11	3	
Midland	29	0	0	88	0	0	117	0	0	
Johnstown	19	0	0	9	18	9	28	18	9	
Eastern	0	0	0	0	0	0	0	0	0	N.B.—No return from this district has been received.
Total Prov. Cur.	151	0	0	388	13	5¼	536	13	5¼	

One hundred and sixty pounds of the above sum has been accounted for through the Receiver-General.

Seventeen Still Licenses and sixty-five Shop and Tavern Licenses, ending 5th April, 1802, not returned or accounted for.

Errors excepted.
York, 27th May, 1802.
(Signed) JOHN MCGILL,
Inspector General Provincial Accounts.

List of shop and tavern licenses issued by Prideaux Selby, Esquire, within the Western District for the year ending 5th April, 1802, with amount of duty collected thereon pursuant to an Act of the Provincial Parliament.

Names of Persons,	Amount of Prov. Duty.	Total,	Description of License.
Drouillard, Joseph	1 0 0		Tavern.
Meillieur, Joseph	1 0 0		
Scarle, Edward	1 0 0		
Hambro, John	1 0 0		
Allan, Justus	1 0 0		
Brown, Joseph	1 0 0		
Donaldson, John	1 0 0		
Perrault, Louis	1 0 0		
Wyman, Ashel	1 0 0		
Forsyth, Wm.	1 0 0		
Landry, Gabriel	1 0 0		
Dolson, Mathew	1 0 0		
Leaberry, William	1 0 0		Shop.
Mickle, William	1 0 0		
Reynolds, Ebr. and Robt.	2 0 0		
Berthelot, H.	1 0 0		
Laferte	1 0 0		
Matton, J.	1 0 0		
McIntosh, Angus	1 0 0		
Barthe	1 0 0		
Atkin, John, Junr.	1 0 0		
Innis & Grant	2 0 0		
Leith & Co.	1 0 0		
Duff & Leith	1 0 0		
Pattinson & Co.	1 0 0		
Park, William	1 0 0		
Maxwell, Robert	1 0 0		
McGregor, John and James	1 0 0		
		£30 0 0	

Errors excepted,
(Signed) WM. JARVIS, *Secretary.*

List of shop and tavern licenses issued by Thomas Welsh, Esquire, within the District of London, for the year ending 5th April, 1802, with amount of duty collected thereon pursuant to an Act of the Provincial Parliament.

Names of Persons.	Amount of Prov. Duty,	Total.	Description of License.
Fowler, John	1 0 0		Tavern.
Mallary, Benajah	1 0 0		
Munro, James	1 0 0		
Lawrence, Hammon	1 0 0		
Barton, Stephen	1 0 0		Shop.
		£5 0 0	

Errors excepted.
(Signed) WM. JARVIS, *Secretary.*

LIST of Shop and Tavern Licenses issued by THOMAS DICKSON, Esquire, within the District of Niagara, for the year ending 5th April, 1802, with amount of Duty collected thereon, pursuant to an Act of the Provincial Parliament.

Names of Persons.	Amount of Provincial Duty.	Total.	Description of License.
Scott, Enos	1 0 0	0 0 0	TAVERN.
Lyons, Ann	1 0 0	0 0 0	
Smith, Joseph	1 0 0	0 0 0	
McDonell, Serjeant	1 0 0	0 0 0	
Rencky, Robert	1 0 0	0 0 0	
Peu, Samuel	1 0 0	0 0 0	
Shannon, D.	1 0 0	0 0 0	
Miller, Andrew	1 0 0	0 0 0	
Fanning, John	1 0 0	0 0 0	
Crow, John	1 0 0	0 0 0	
Fields, Charles	1 0 0	0 0 0	
Hamilton and Marckle	1 0 0	0 0 0	
Vanwyck, Samuel	1 0 0	0 0 0	
Knox, John	1 0 0	0 0 0	
Daly, John	1 0 0	0 0 0	
Hawn, Michael	1 0 0	0 0 0	
Macklin, James	1 0 0	0 0 0	
Fairbanks, Joshua	1 0 0	0 0 0	
Woolverton, John	1 0 0	0 0 0	
Brown, Joseph	1 0 0	0 0 0	
Petitt, John C.	1 0 0	0 0 0	
Drake, Gilbert	1 0 0	0 0 0	
Jones, John	1 0 0	0 0 0	
McBride, Mary	1 0 0	0 0 0	
Wintermute, Benjamin	1 0 0	0 0 0	
Fields, Gilbert	1 0 0	0 0 0	
Smith, Andrew	1 0 0	0 0 0	SHOP.
Boyd, John, and Co.	1 0 0	0 0 0	
Welsh, Thomas	1 0 0	0 0 0	
Kinsley, Joseph, and Co.	1 0 0	0 0 0	
Crooks, Wm., and James	1 0 0	0 0 0	
Forsyth, George, and Co.	1 0 0	0 0 0	
Dickson, Thomas	1 0 0	0 0 0	
Warren, Henry, and John	1 0 0	0 0 0	
Dun, John	1 0 0	0 0 0	
Clark, Thomas	1 0 0	0 0 0	
Hamilton, Robert	1 0 0	0 0 0	
Murray, Robert	1 0 0	0 0 0	
Cummings, Thomas	1 0 0	0 0 0	
Muirhead, John	1 0 0	0 0 0	
Hardison, Benjamin	1 0 0	0 0 0	
Edwards, Joseph	1 0 0	0 0 0	
Warren, John, Jun.	1 0 0	0 0 0	
Young, John	1 0 0	0 0 0	
Grier, John	1 0 0	0 0 0	
Anderson, Charles	1 0 0	0 0 0	
Douglas, Alexander	1 0 0	0 0 0	
Kent, William	1 0 0	0 0 0	
Lane, Thomas	1 0 0	21 0 0	
	Provincial Currency.	£49 0 0	

Errors excepted. (Signed) WILLIAM JARVIS, *Secretary.*

LIST of Persons Licensed to Work Stills in the several Districts of the Province of Upper Canada, for the year ending 5th April, 1802, with Amount of Duty Collected thereon, pursuant to an Act of the Provincial Parliament.

Names of Persons Licensed.	No. of stills.	No. of gallons.	Duty per gallon. £ s. d.	Duties in each District £ s. d.	Total. £ s. d.	District.
Coyle, Feltie	2	169	0 1 3	10 11 3		
McGill, John	4	280	0 1 3	17 10 0		
Secord, David	2	135	0 1 3	8 8 9		
Gamble, William	3	472	0 1 3	29 10 0		
Cargill, David	1	40	0 1 3	2 10 0		
Griffin, Smith	2	120	0 1 3	7 10 0		
Farr, Richard	2	126	0 1 3	7 17 6		
Hoyle, John	2	145	0 1 3	9 1 3		
Azlable, Michael	2	160	0 1 3	10 0 0		Niagara.
Smith, Joseph	2	143	0 1 3	8 18 9		
O'Brien, John	1	113	0 1 3	7 1 3		
Boudrie, Pierre	2	142	0 1 3	8 17 6		
Boyd, Samuel	1	104	0 1 3	6 10 0		
Johnston, James	2	170	0 1 3	10 12 6		
Stephenson, Francis	2	164	0 1 3	10 5 0		
Bougener, Christopher	7	88	0 1 3	5 10 0		
	32	2,571			160 13 9	
Davis, John	2	178	0 1 3	11 2 6		
Burdick, Enoch	2	87¾	0 1 3	5 9 8¼		London.
Matthews, Abner	2	163	0 1 3	10 3 9		
Brigham, Moses	2	115	0 1 3	7 3 9		
	8	543¾			33 10 8q	
Howard, Stephen	1	84	0 1 3	5 5 0		Johnstown
Doyle, Thomas	1	75	0 1 3	4 13 9		
	2	159			9 18 9	
Fox, William	1	80	0 1 3	5 0 0		
Fairfield, William	3	178	0 1 3	11 2 6		
Casey, Willett	1	70	0 1 3	10 12 6		
	5	328				
Cartwright, Richard, Esq.	2	182	0 1 5	11 7 6		
Ray, John	1	51	0 1 3	3 3 9		Midland.
Brownson & Bradshaw	1	75	0 1 3	4 13 9		
Kimmerly, Andrew	2	118	0 1 3	7 7 6		
Wilkins, Robert	1	64	0 1 3	4 0 0		
Cromley, Henry	1	90	0 1 3	5 12 6		
Gardner, Samuel	2	160	0 1 3	10 0 0		
Huff, Paul—and Murdoff, James	0 0	240	0 1 3	15 0 0		
	10	1,408			88 0 0	
Henderson, Robert	1	10	0 1 3	0 12 6		
Loder, Job	2	120	0 1 3	7 10 0		
Hatt, Samuel	2	350	0 1 3	21 17 6		Home.
Saunders, Mathias	2	145	0 1 3	9 1 3		
Count de Chalus	2	72	0 1 3	4 10 0		
	9	697			43 11 3	
McGawin, William	1	78	0 1 3	4 17 6		
Fox, Philip	1	62	0 1 3	3 17 6		Western.
Fox, Jonas	1	102	0 1 3	6 7 6		
Quick, John	1	100	0 1 3	6 5 0		
Duff and Leith	3	450	0 1 3	28 2 6		
	7	792			49 10 0	
Provincial Currency ..					385 13 5q*	

N.B.—No Return from the Eastern District has been received.
Errors excepted. (Signed) WILLIAM JARVIS, *Secretary.*
*Note *q represents ¼ of one penny.*

LIST of Shop and Tavern Licenses issued by WILLIAM JARVIS, Esquire, Secretary of the Province, within the Home District, for the year ending 5th April, 1802, with amount of Duty collected thereon, pursuant to an Act of the Provincial Parliament.

Names of Persons.	Amount of Prov. Duty.	Total.	Description of License.
Allan, William	1 0 0		Shop.
Wood, Alexander	1 0 0		
Herchmer, Jacob	1 0 0		
Count de Chalus	1 0 0		
Cameron & Cozens	1 0 0		
Porett, John	1 0 0		
McDougall, Allan	1 0 0		
Tremble, Charles	1 0 0		
McLaney, John	1 0 0		
Cameron, Duncan	1 0 0		
McNabb, Simon	1 0 0		
Cooper, William	1 0 0		Tavern.
McBride, Hannah	1 0 0		
Playter, Jas., & Eli	1 0 0		
Hunt, Joseph	1 0 0		
McDougall, John	1 0 0		
Everson, John	1 0 0		
Beman, Elisha	1 0 0		
Tourneaux, Rend	1 0 0		
		£19 0 0	

Errors excepted, (Signed) WM. JARVIS, *Secretary.*

LIST of Shop and Tavern Licenses issued by THOMAS MARKLAND, Esquire, within the Midland District, for the year ending 5th April, 1802, with amount of Duty collected thereon, pursuant to an Act of the Provincial Parliament.

Names of Persons.	Amount of Prov. Duty.	Total.	Description of License.
Pember, Philip	1 0 0		Tavern.
Cook, Thomas	1 0 0		
Staubar, John	1 0 0		
Brayley, William	1 0 0		
Bowen, Henry	1 0 0		
Richardson, Thomas	1 0 0		
Davy, John	1 0 0		
Kemp, John	1 0 0		
De Clute, Ganet	1 0 0		
Cole, Daniel	1 0 0		
Brown, Isaac	1 0 0		
Finkle, Henry	1 0 0		
Ganet, Isaac	1 0 0		
Hough, Isaac	1 0 0		
Walker, Joseph	1 0 0		
Markland, Thomas	1 0 0		Shop.
Robins, James	1 0 0		
Culbertson, John	1 0 0		
Herchmer, Lawrence	1 0 0		
Kirby, John	1 0 0		
Washburn, Ebnr	1 0 0		
Forsyth, Joseph	1 0 0		
Cummings, John	1 0 0		
McDonald, Donald	1 0 0		
Walker, Robert	1 0 0		
Philips, Corns	1 0 0		
		£26 0 0	
Add three Tavern Certificates to Persons whose names appear not on Mr. Markland's Return.		3 0 0	
		£29 0 0	

Errors excepted, (Signed) WM. JARVIS, *Secretary.*

LIST of Shop and Tavern Licenses issued by JAMES SHERWOOD, Esquire, within the District of Johnstown, for the year ending 5th April, 1802, with amount of Duty collected thereon, pursuant to an Act of the Provincial Parliament.

Names of Persons.	Amount of Prov. Duty.	Total.	Description of License.
Cole, Adam	1 0 0		Tavern.
Bean, Phineas	1 0 0		
Howard, Peter	1 0 0		
Valentine, John	1 0 0		
Rash, Henry	1 0 0		
Campbell, James E.	1 0 0		
Weatherhead, Samuel	1 0 0		
Froom, James	1 0 0		
Lee, David	1 0 0		
Brown, Thomas	1 0 0		
Comstock, Aaron	1 0 0		
Kilburn, James	1 0 0		
Plumley, Daniel	1 0 0		
Jones, Daniel	1 0 0		Shop.
Flint, Billa	1 0 0		
Stuart, John	1 0 0		
Sherwood, Sarah	1 0 0		
McVee, Benjamin	1 0 0		
Sherwood, Daniel	1 0 0		
		£19 0 0	

Errors excepted, (Signed) WM. JARVIS, *Secretary.*

ABSTRACT OF WARRANTS issued by Lieutenant-General PETER HUNTER, Lieutenant-Governor of the Province of Upper Canada, for moneys charged against the funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province for that purpose.

Date of Warrants	Letter.	To whom payable.	For what Service, or on what Account.	Halifax Currency Dollars, 5s.
1801 July 10.	A	Tim. Thompson, Esq...	Being his allowance as one of the two Commissioners to Lower Canada.....	100 0 0
	B	Mr. Sil. Tiffany, printer	Being for printing the Heads of a Bill relative to the carrying place at Niagara.....	4 10 0
	C	The Rev. Rob. Addison	Being his allowance as Chaplain of the House of Assembly previous to the present Session	30 0 0
	D	The Rev. Rob. Addison	Being his allowance as Chaplain of the House of Assembly during the present Session..	50 0 0
	E	The Hon. Richard Cartwright	Being his allowance as one of the two Commissioners to Lower Canada	100 0 0
	F	Sam. Street, Esq.....	Being his allowance as Speaker of the House of Assembly previous to the present Session	200 0 0

Carried Forward.

ABSTRACT OF WARRANTS.

(CONTINUED.)

Date of Warrants	Letter.	To whom payable.	For what Service, or on what Account.	Halifax Currency Dollars, 5s.		
1801 July 10.	G	Mr. George Law.....	Being his allowance as Usher of the Black Rod previous to the present Session	50	0	0
	H	Mr. George Law.....	Being his allowance as Usher of the Black Rod during the present Session	50	0	0
	I	Mr. A. McDonell, late Clerk H. of Assembly	Being for two years' salary due him previous to the present Session	300	0	0
	K	Mr. James Clark, jun...	Being his allowance as Clerk of the Legislative Council previous to the present Session..	145	0	0
	L	Mr. James Clark, Jun..	Being his allowance as Clerk of the Legislative Council during the present Session	125	0	0
	M	David Burns, Esq.....	Being his allowance as Master in Chancery attending the Legislative Council previous to the present Session.....	50	0	0
	N	David Burns, Esq.....	Being his allowance as Master in Chancery attending the Legislative Council during the present Session	50	0	0
	O	The Hon. David Wm. Smith, Esq.	Being his allowance as Speaker of the House of Assembly during the present Session...	200	0	0
	P	Thomas Ridout, Esq...	Being his allowance as Serjeant at Arms previous to the present Session	50	0	0
	Q	Thomas Ridout, Esq...	Being his allowance as Serjeant at Arms for the present Session	50	0	0
	R	Mr. Donald McLean....	Being his allowance as Clerk of the House of Assembly during the present Session	125	0	0
	S	Thomas Ridout, Esq., Serjeant at Arms	Being for the contingent expenses of the House of Assembly previous to the present Session	5	15	0
	T	The Hon. D. W. Smith, Speaker of the House of Assembly	Being for to purchase Furniture for the House of Assembly, and other contingent expenses, pursuant to an Address at the close of the present Session..	60	0	0
	U	Mr. Jas. Clark, jun., Clerk of the Legislative Council	Being for copying Clerks during the present Session	25	0	0
	V	Mr. Donald McLean, Clerk of House of Assembly	Being for copying Clerks during the present Session	25	0	0
	W	The Rev. John Stewart	Being his allowance as Chaplain to the Legislative Council previous to the present Session	30	0	0
	X	The Rev. John Stewart	Being his allowance as Chaplain to the Legislative Council during the present Session.....	50	0	0
	Y	The Representatives of the late Jno. McBride	Being his allowance as Doorkeeper to the Legislative Council previous to the present Session	20	0	0

Carried forward

ABSTRACT OF WARRANTS.

(CONTINUED.)

Date of Warrants	Letter.	To whom payable.	For what Service, or on what Account.	Halifax Currency Dollars, 5s.		
1801 July 10.	Z	Mr. Hugh Cameron....	Being his allowance as Doorkeeper of the House of Assembly during the present Session	20	0	0
	A1	Mr. Hugh McLean.....	Being his allowance as Doorkeeper of the House of Assembly previous to the present Session	20	0	0
	B1	Mr. Hugh McLean.....	Being his allowance as Doorkeeper of the Legislative Council during the present Session	20	0	0
	C1	Mr. James Clark, jun., Clerk of the Legislative Council	Being for contingent expenses this Session, and for the purchase of stationery for the next Session, pursuant to an Address from the House of Assembly, dated the 6th July, 1801	38	16	3
	D1	Mr. Donald McLean, Clerk of the House of Assembly	Being for contingent expenses this Session, and for the purchase of stationery for the next Session, pursuant to an Address from the House of Assembly, dated the 6th July, 1801	45	4	5
28.	E1	The Hon. Peter Russell, Esq., Receiver General	Being to enable him to pay such bills as may be drawn upon him by the Honorable John McGill and David William Smith, Esquires, to the above amount, being the Commissioners appointed by me to purchase and distribute gratis, among the Farmers of this Province, Hemp Seed, and for paying Bounties to the deserving Cultivators and Exporters of Hemp, pursuant to an Address from the House of Assembly, dated the 6th July, 1801	750	0	0
	F1	Mr. John Bennett.....	Being on account for printing the Acts and Journals of the present Session, pursuant to an Act passed in the first Session of the third Parliament of this Province	100	0	0
				£2,889	5	8
			Deduct to render it into Sterling 1-10th	288	18	6 2-10
			Total Sterling	£2,600	7	1 8-10

Errors excepted,

(Signed) JOHN MCGILL,
Inspector General Provincial Accounts.

York, 28th May, 1802.

STATEMENT shewing the Duties under the Provincial Acts of the 33rd, 34th, 35th and 41st of the King, including the sum unappropriated on the 27th May 1801, and deducting £104 3s. 0d. 5-10ths, expenses of Collection, with the sum collected and under Bond, not paid into the Receiver General's Chest.

To amount of the salaries of the Officers of the Legislative Council and House of Assembly and contingents thereof for 1800 and 1801, and for encouraging the Culture and Exportation of Hemp .....No.	2,889	5	8		By unappropriated sum on the 27th May, 1801, No. 1.	3,069	1	1¼
To the Collector's allowance under the Act of the 41st of His Majesty .....No. 2	104	3	0	5-10	By amount of Duties under the Provincial Acts of the 33rd, 35th and 41st of the King, per statement .....No. 2	336	17	1¼
To amount of Duties not paid to Peter Russell, Esquire, Receiver General	483	4	7¾	5-10	By amount of Licenses under the Provincial Acts of the 33rd and 35th of the King, ending 4th April, 1801.....No. 3	399	10	6¾
To Peter Russell, Esquire, Receiver General 3 per cent. on £1,754 16s. 6¾d.	52	12	10¾		By do do do 1802 No. 5	536	13	5¼
	3,529	6	2¾		By do from the Province of Lower Canada in conformity to an Act of the 41st of His Majesty . . ..No. 8	1,069	3	1½
To remains in the hands of Peter Russell, Esquire, Receiver General	1,881	19	1¼					
Currency	£5,411	5	4		Currency	£5,411	5	4

NOTE.—His Excellency the Lieutenant Governor having since this Account was made up issued his Warrant in favor of Mr. John Bennett for Two hundred pounds Currency, being the Balance due to him for printing the Acts and Journals of the last session pursuant to an Act passed in the first session of the third Parliament, leaves an unappropriated Balance of £1,681 19s. 1¼d.

Errors excepted,
York, 28th May, 1802.

(Signed) J. McG.

(Signed) JOHN MCGILL, *Inspr. Genl. Prov. Accts.*

ACCOUNT of CASH received by PETER RUSSELL, Esquire, Receiver General, for Duties on Imports into Lower Canada, in conformity to an Act of the Provincial Parliament of Upper Canada, passed in the 41st year of His Majesty's Reign, Chap. 4, entitled, "An Act to ratify and confirm certain Provincial Articles of Agreement, entered into by the respective Commissioners of this Province and of Lower Canada, on the 2nd of February, 1801, relative to Duties, and for carrying the same into effect"—and also to continue an Act passed in the 39th year of His Majesty's Reign.

1802.	*DUTIES.*	Currency.
	Cash received from HENRY CALDWELL, Esquire, Receiver General of Lower Canada, a proportion of Duties collected, between the 1st January and 31st December, 1801, ...	£1,069 3 1½

Errors excepted,
York, 28th May, 1801.

(Signed) JOHN MCGILL,
Inspector Gen. Prov. Accts.

June 28th, 1802.

The following Accounts were delivered in by WILLIAM JARVIS, Esquire, Secretary of the Province, and were taken into consideration by a Committee of the whole House on Public Accounts.

LIST of Persons who have received Tavern and Shop Licenses for the Eastern District, for the year ending the 4th April, 1801.

Names of Persons.	No. of Licenses.	Duties on each.	Total Amount.	Description of License.
Adam Shavers	1	1 0 0		TAVERN.
Paul Glasford	2	1 0 0		
John McDougall	3	1 0 0		
Samuel Weatherhead	4	1 0 0		
Peter Empey	5	1 0 0		
Jacob Vanduzen	6	1 0 0		
Daniel Campbell	7	1 0 0		
Philip Shaver	8	1 0 0		
John Bush Harture	9	1 0 0		
Thomas Munro	10	1 0 0		
John Dixon	11	1 0 0		
John Chisholm	12	1 0 0		
Silas Hamblin	13	1 0 0		
Sylvester Wright	14	1 0 0		
William Loucks	15	1 0 0		
John McDonell	16	1 0 0		
				Carried over

LIST of Persons who have received Tavern and Shop Licenses for the Eastern District, for the year ending 4th April, 1801.

Names of Persons.	No. of Licenses.	Duties on each.	Total Amount.	Description of License.
James Kilburn	17	1 0 0		TAVERN.
Daniel McIntosh	18	1 0 0		
John Peters	19	1 0 0		
James E. Campbell	20	1 0 0		
James E. Froom	21	1 0 0		
Margaret Bruce	22	1 0 0		
John Burch	23	1 0 0		
Michael V. Hougnette	24	1 0 0		
George Barnhart	25	1 0 0		
John Hoople	26	1 0 0		
Hugh McDonell	27	1 0 0		
John Crysler	28	1 0 0		
Paul Glasford	29	1 0 0		
David Sheek	30	1 0 0		SHOP.
John Crysler	31	1 0 0		
Alexander Rose	32	1 0 0		
John Emerson	33	1 0 0		
Samuel Rush	34	1 0 0		
John Stuart	35	1 0 0		
Daniel Jones	36	1 0 0		
Donald McAuley	37	1 0 0		
Joseph Brownell	38	1 0 0		
Ephraim Jones	39	1 0 0		
Alexander Wilson and Co.	40	1 0 0		
			£40 0 0	

Errors excepted, (Signed) WILLIAM JARVIS, *Secretary.*

LIST of Persons to keep Stills in the Eastern District, for the year ending 4th April, 1801.

Persons' Names.	No. of Stills.	No. of Galls.	Duty per Gallon.	Total Amount for 100 Gallons.	
Thomas Doyle	2	100	0 1 3		
				£6 5 0	

(Signed) WILLIAM JARVIS, *Secretary.*

APPENDIX III

BEING THE

ACCOUNTS

OF

THE RECEIVER-GENERAL OF UPPER CANADA

FOR THE YEAR 1802

PRESENTED TO THE HOUSE OF ASSEMBLY, 1803

General Account of Goods liable to Duties, imported from the United States, for which the Duties have been collected, between the 1st April and 31st December, 1802.

Port of Entry.	Brandy.	Rum or Spirits.		Whiskey.	Gin.	Shrub.	Molasses and Syrup.	Wine, Madeira	Wine, not Madeira.	Loaf Sugar.	Muscovado Sugar.	Coffee.	Manufactured Tobacco, not Snuff.	Leaf Tobacco.	Snuff.	Hyson Tea.	Packs Playing Cards.	Minots Salt.	Provincial Currency. Dollars 5s. £ s. d.
York, for the Quarter ending 30th June, 1802	0	0	0	132	0	0	0	0	0	0	0	0	0	0	0	0	0	28	2 2 4
York, do do 30th September, 1802	0	60	0	0	0	0	0	0	0	0	0	0	696	0	0	0	0	353	15 6 8
York, do do 31st December, 1802	0	0	0	0	0	0	93	0	0	0	0	0	0	0	0	0	0	144	3 11 11
Niagara do do 30th June, 1802	387	1221	0	0	154	32	229	0	0	1275	3387	521	1562	0	0	0	0	310	66 14 11½
Niagara do do 30th September, 1802	118	815	0	0	101	0	81	0	112	189	1430	60	1155	0	701	0	24	0	45 18 6
Queenstown do 30th June, 1802	73	32	0	0	0	0	0	0	0	94¼	224	0	39345	0	0	0	0	268	503 11 3¼
Queenstown do 30th September, 1802	0	20	0	0	28½	0	0	0	0	0	0	0	26⅝	0	0	0	0	1412	24 9 5⅝
Queenstown do 31st December, 1802	0	0	0	0	0	0	0	0	0	2	4	23	680½	10	38½	0	0	740	21 15 5½
Fort Erie do 30th September, 1802	98	26	0	0	0	0	0	0	0	20	0	0	396	0	20	0	0	13½	7 2 10
Sandwich do 30th September, 1802	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	372	6 4 0
Newcastle (return not received in order of time) for the Quarter ending 31st December, 1801	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	410	6 16 8
Newcastle do do 30th June, 1802	0	141	0	0	0	0	0	0	0	0	0	0	205	0	0	0	0	610	14 9 10
Newcastle do do 30th September, 1802	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	120	2 0 0
Newcastle do do 31st December 1802	0	33	0	0	0	0	0	0	0	0	0	0	279	0	0	0	0	856	18 3 4
Kingston do do 30th June, 1802	0	514½	0	0	0	0	18	0	86	233	0	0	1131½	0	154	0	0	410¾	32 5 2
Kingston do do 30th September, 1802	0	32	0	0	0	0	10	0	0	118	0	0	1360	0	103	0	0	1098	38 0 8
Kingston do do 31st December, 1802	67	302	0	103	0	0	0	198	100	294	772	0	798½	0	35	10	0	1191	45 1 8½
Johnstown do do 30th June, 1802	15	6½	0	0	0	0	0	0	0	77-16	0	0	0	0	0	0	0	4	0 7 10
Johnstown do do 30th September, 1802	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	128 8-9	2 5 6
	768	3203	0	235	283½	32	431	198	298	2232 11-19	5817	604	47597¼	10	1051½	10	24	84695-36	856 8 1½

The Act of the 41st of the King, allows to each collector 50l. per cent. on the sum collected, until the sum so allowed shall amount to one hundred pounds.

OUTSTANDING.

	£	s.	d.
Cornwall, Joseph Anderson, Esq., to 31st March, 1802..	2	10	3
Kingston, Joseph Anderson, Esq., to 31st Dec., 1802 ..	41	10	2¼
Fort Erie, John Warren, Esq., to 31st March, 1802—5s..	0	8	3¾
Fort Erie, John Warren, Esq., to 30th Sept., 1802—3-3¾			
Niagara, Colin McNabb, Esq., to 30th Sept., 1802....	730	12	5¾ 1-9
Queenstown, Colin McNabb, Esq., to 31st Dec., 1802...			
Including two bonds of Mr. Hamilton's			
	£775	1	2¾ 1-9

Errors excepted,

EXPENCE OF COLLECTION.

	£	s.	d.
William Allan, Esq., Collector at York	10	10	5½
Colin McNabb, Esq., Collector at Niagara and Queenstown	68	0	0
John Warren, Esq., Collector at Fort Erie	3	11	5
John Askin, Esq., Collector at Sandwich.....	3	2	0
Timothy Thompson, Esq., Collector at Newcastle	20	14	11
Joseph Anderson, Esq., Collector at Kingston	57	13	9¼
Levius P. Sherwood, Esq., Collector at Johnstown	1	6	8
	£164	19	2¾
Nett revenue.....	£691	8	10¾

(Signed) John McGill, Inspector General Public Provincial Accounts.

Inspector-General's Office, 26th January, 1803.

GENERAL STATE OF RECEIPTS AND PAYMENTS.

For Port and License Duties, under Acts of the Provincial Parliament, between the 28th May 1802, and 26th January, 1803.

	£	s.	d.		£	s.	d.
To amount of Warrants for Salaries of the Officers of the Leglislative Council and House of Assembly, and contingent expenses thereof; and for the Commissioners for securing Titles to Land	1,336	7	1	By the sum remaining in the hands of the Receiver General on the 27th May, 1802 ..	1,876	12	4¼ 5-7
To the Receiver General's allowance of 3 per cent. on £517 9s. 10¾d. being amount of Provincial Duties, received and credited opposite	15	10	5¾	By Received from the Collector at *Niagara*, for account of Port Duties, to 31st March.	27	0	0
To the sum remaining in the hands of the Receiver General, on the 26th January, 1803 ..	1,042	4	8¼ 5-7	By received from the Collector at *Johnstown*, up to 30th Sept. 1802	6	18	4½
				By ditto from ditto at *Newcastle*, up to 31st December, 1802 .....,	20	14	11
				By ditto from ditto at *York*, up to 31st Dec. 1802	10	10	5½
				By ditto from ditto at *Kingston*, up to 30th September, 1802	16	2	7
				By ditto from ditto at *Fort Erie*, on account, to 30th Sept., 1802 ..	3	8	1¼
				By ditto from ditto at *Sandwich*, up to 30th September, 1802	3	2	0
				By ditto from the Secretary, a balance due by him for Provincial Duties, on 33 Shop and Tavern Licenses that expired 5th April, 1802	33	0	0
				By ditto from the Secretary, Provincial Duties on eleven Shop and Tavern Licenses, that expired 5th April, 1801	11	0	0
				By ditto from the Secretary, Provincial Duties on 46 Still Licenses, for 6,170¾ gallons, that expired 5th April, 1802.	385	13	5¼
	£ 2,394	2	3 5-7		£2,394	2	3 5-7

Errors Excepted.

(Signed) JOHN M'GILL, *Insp. Gen. Prov. Accts.*

Inspector General's Office, 26th January, 1803.

ABSTRACT of WARRANTS issued by His Excellency Lieutenant General PETER HUNTER, Lieutenant Governor of the Province of Upper Canada, for Monies charged against the funds arising from Duties imposed by the Provincial Legislature, Pursuant to an Act passed in the first Session of the third Parliament of this Province for that purpose.

Date of Warrants	Letter.	To whom payable.	For what Service, or on what Account.	Halifax Currency Dollars 5s.
1802 June 7	G	Mr. John Bennett, Printer	£200 Halifax Currency, being the balance due to him for printing the Acts and Journals of the last Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province..	200 0 0
	H	Mr. James Clarke, junr.	Being his allowance as Clerk of the Legislative Council during the present Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province for that purpose.....	125 0 0
	I	Mr. George Lawe	Being his allowance as Usher of the Black Rod during the present Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province for that purpose	50 0 0
	K	David Burns, Esq.	Being his allowance as Master in Chancery, attending the Legislative Council during the present Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province for that purpose	50 0 0
	L	The Rev. John Stuart	Being His allowance as Chaplain of the Legislative Council during the present Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province	50 0 0

ABSTRACT OF WARRANTS

(Continued.)

Date of Warrants	Letter.	To whom payable.	For what Service, or on what Account.	Halifax Currency. Dollars	5s.	
1802 June	M	Mr. Hugh McLean .	Being his allowance as Door Keeper of the Legislative Council during the present Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province	20	0	0
	N	The Hon. David William Smith	Being his allowance as Speaker of the House of Assembly during the present Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province for that purpose ...	200	0	0
	O	Mr. Donald McLean	Being his allowance as Clerk of the House of Assembly during the present Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of third Parliament of this Province for that purpose	125	0	0
	P	Thomas Ridout, Esq.	Being his allowance as Serjant at Arms for the present Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province for that purpose	50	0	0
	Q	The Rev. Robert Addison	Being his allowance as Chaplain of the House of Assembly during the present Session, which you are to charge against the Funds arising from duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province for that purpose ...	50	0	0
	R	Mr. Hugh Cameron.	Being his allowance as Door Keeper of the House of Assembly during the present Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province	20	0	0

ABSTRACT OF WARRANTS.
(Continued.)

Date of Warrants	Letter.	To whom payable.	For what Service, or on what Account.	Halifax Currency, Dollar 5s.		
1802 June 7.	S	Mr. James Clarke, Jr., Clerk of the Legislative Council	Being for Copying Clerks during the present Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province for that purpose ...	25	0	0
	T	Mr. Donald McLean, Clerk of the House of Assembly	Being for Copying Clerks during the present Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province for that purpose ...	25	0	0
	U	Mr. John Bennett, Government Printer	Being on account of printing the Acts and Journals of the present Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Sesion of the third Parliament of this Province for that purpose ..	150	0	0
Oct. 19..	V	The Hon. Mr. Chief Justice, Henry Allcock	£6, 18s. 4d. Halifax Currency, to reimburse him the above mentioned sum, paid to ——Walker of Kingston, Inn-keeper, being the amount of his charge to the Commissioners, acting in the execution of the Commission issued by the Lieutenant-Governor, under the authority of a certain Act passed in the last Session of the Parliament of this Province, intituled, "An Act the better to ascertain and secure the Titles to Land in this Province, as per annexed Certificate	6	18	4
Nov. 6...	W	Mr. Justice William Dummer Powell	Eleven pounds, five shillings, Halifax Currency, being to reimburse him the abovementioned sum paid to Messrs. McMichen, Loder and Forsyth, being the amount of their charge to the Commissioners acting in the execution of a Commission issued by the Lieutenant Governor, under the authority of a certain Act passed in the last session of the Parliament of this Province, intituled, "An Act the better to ascertain and secure Titles to Lands in this Province."	11	5	0

ABSTRACT OF WARRANTS.

(Continued.)

Date of Warrants	Letter.	To whom payable.	For what Service, or on what Account.	Halifax Currency. Dollars	5s.	
1803 Jan. 6	X	Mr. John Bennett, Government Printer	Being the balance due to him for printing the Acts and Journals of the last Session, which you are to charge against the Funds arising from Duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Provincial Parliament of this Province	150	0	0
24	Y	The Hon. Mr. Chief Justice John Elmsley	Being to reimburse him the above mentioned sum paid to Margaret Bruce of Cornwall, Inn Keeper, being the amount of her charge to the Commissioners acting in the execution of a Commission issued by the Lieutenant Governor, under the authority of a certain Act passed in the last Session of the Parliament of this Province, intituled, "An Act the better to ascertain and secure the Titles to Lands in this Province," as per annexed certificate, ...	17	0	1
	Z	The Hon. Mr. Chief Justice John Elmsley	Being to reimburse him the abovementioned sum, paid to John Burke of Johnstown, Inn Keeper, being the amount of his charge to the Commissioners acting in the execution of a Commission issued by the Lieutenant Governor, under the authority of a certain Act passed in the last session of the Parliament of this Province, intituled, "An Act the better to ascertain and secure the Titles to Land in this Province," as per annexed certificate	11	3	8
				£1336	7	1

Errors Excepted,

(Signed) JOHN McGILL, Inspect. Gen. Pub. Prov. Accounts.

Inspector General's Office, 26th January, 1803.

General Account of Articles on which Duties on Importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards, from the 1st January to the 30th June, 1802, agreeable to the written Accounts thereof received, or as ascertained on Examination of Carriages, according to the Act.

By whom furnished, dispatched, or accompanied.	Dates written accounts.	Dates passing Coteau du Lac.	Private Boats or Canoes.	King's Boats.	Carriages.	Gallons Jamaica Spirits or Rum	Gallons Foreign Brandy or Spirits.	Gallons Molasses.	Gallons Madeira Wine.	Gallons Port and all Wines not Madeira.	Lbs. Loaf or Lump Sugar.	Lbs. Muscovado Sugar.	Lbs. Coffee.	Lbs. Leaf Tobacco.	Lbs. Snuff or Flour of Tobacco	Lbs. Tobacco manufactured any other way than Snuff.	Packs Playing Cards.	Minots Salts.	Remarks.
	Jan.																		
John Murchison	0	2	0	0	3	10	0	0	0	0	0	0	0	0	0	0	0	12	
A. Campbell	3	3	0	0	1	32	0	0	0	0	0	0	0	0	0	0	0	0	
Augustine Deroche	6	6	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	11	
D. McDonell	0	0	0	0	2	53	0	0	0	0	0	0	0	0	0	0	0	0	
G. Ross	7	7	0	0	5	8	0	0	0	0	0	0	0	0	0	0	0	10	
John McDonell	8	8	0	0	2	20	0	0	0	0	0	0	0	0	0	2	0	10	
J. McDonald	0	0	0	0	2	2	0	0	0	0	0	0	0	0	1	0	0	5	
Wm. Nony	10	10	0	0	1	70	0	0	0	0	0	0	0	0	0	50	0	1	
F. McDonell	13	13	0	0	1	8	0	0	0	0	0	0	0	0	0	5	0	8	
D. McDonell	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	3	
A. McDonell	14	14	0	0	1	3	0	0	0	0	0	0	0	0	0	0	0	2	
Jos. Wait	0	0	0	0	3	9	0	0	0	0	0	0	0	0	0	6	0	20	
D. Cameron	15	15	0	0	3	13	0	0	0	0	0	0	0	0	0	0	0	14	
Jas. German	16	16	0	0	1	121	0	0	0	0	0	0	0	0	0	0	0	0	
John McDonald	0	0	0	0	1	3	0	0	0	0	0	0	0	0	0	0	0	3	
J. Grant	18	18	0	0	1	18	0	0	0	0	0	0	0	0	0	0	0	4	
D. McMullan	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	6	
N. Park	0	0	0	0	2	6	0	0	0	0	0	0	0	0	0	0	0	7	
A. McDonell	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	5	
A. M. Dougald	19	19	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2	
J. Biron	20	20	0	0	1	30	0	0	0	0	0	0	0	0	16	0	0	0	
John McGillis	0	0	0	0	3	2	0	0	0	0	0	0	0	0	0	0	0	5	
F. Sterne	0	0	0	0	1	120	0	0	0	0	0	0	0	0	0	0	0	0	
Duncan McArthur	0	0	0	0	1	12	0	0	0	0	0	0	0	0	0	0	0	10	
John Johnston	0	0	0	0	1	20	0	0	0	0	0	0	0	0	0	26	0	28h	
W. Wood	0	0	0	0	2	3	0	0	0	0	0	0	0	0	0	50	0	27h	
Wm. Gray	22	22	0	0	1	54	9	0	0	0	0	0	0	0	0	0	0	2	
A. McPhee	0	23	0	0	4	22	0	0	0	0	0	0	0	0	0	26	0	38	
Thomas Brown	0	0	0	0	2	108	0	0	0	306	28	0	0	0	0	0	0	0	
William Cameron	26	26	0	0	6	4	0	0	0	0	0	0	0	0	1	3	0	13	
H. Munro	0	0	0	0	1	78	0	0	0	0	0	0	0	0	0	0	0	6	

General Account of Articles on which Duties on Importation are imposed by the Legislature of Lower Canada.—*Continued.*

By whom furnished, dispatched, or accompanied.	Dates written accounts.	Dates passing Coteau du Lac.	Private Boats or Canoes.	King's Boats.	Carriages.	Gallons Jamaica Spirits or Rum.	Gallons Foreign Brandy or Spirits.	Gallons Molasses.	Gallons Madeira Wine.	Gallons Port and all Wines not Madeira.	Lbs. Loaf or Lump Sugar.	Lbs. Muscovado Sugar.	Lbs. Coffee.	Lbs. Leaf Tobacco.	Lbs. Snuff or Flour of Tobacco	Lbs. Tobacco manufactured any other way than Snuff.	Packs Playing Cards.	Minots Salt.	Remarks.
	Jan.																		
James Froom	27	27	0	0	1	37	9	0	0	9	0	0	0	0	45	0	0	1	
D. McNaughton	29	29	0	0	2	12	0	0	0	0	0	0	0	0	5	18	0	6	
J. McGregor and others	0	0	0	0	20	82	0	0	0	10	0	0	0	0	0	0	0	77	
John McMartin	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	3	
A. Campbell	0	0	0	0	1	32	0	0	0	0	0	0	0	0	0	0	0	0	
J. Dickson	0	0	0	0	1	119	24	0	0	0	0	0	0	0	0	0	0	0	
A. Allison	0	0	0	0	0	122q	0	0	0	27h	0	0	0	0	0	0	0	0	
James Forsyth	30	30	0	0	2	12	0	0	0	0	0	0	0	0	0	0	0	6	
Alexander McPhall	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	2	
J. Empey	Feb. 1	0	0	0	1	69	0	0	0	80	50	0	0	0	0	0	0	0	
W. Loucks	0	0	0	0	3	80	8	0	0	0	0	0	0	0	0	45	0	15	
George Stuart	0	0	0	0	4	5	0	0	0	0	0	0	0	0	0	0	0	12	
J. Rambough	2	2	0	0	1	3	0	0	0	0	0	0	0	0	0	0	0	5	
Duncan Chisholm	0	0	0	0	2	105h	9	0	0	0	7	0	0	0	0	0	0	9	
N. Shaver and Co.	3	3	0	0	3	7	0	0	0	0	0	0	0	0	0	0	0	21	
John Grant	5	5	0	0	5	139	0	0	0	0	0	0	0	0	0	0	0	9	
Esa Baxter	0	0	0	0	2	14h	0	0	0	0	0	0	0	0	0	0	0	15h	
Donald Cameron	8	8	0	0	2	115	0	0	0	8h	0	0	0	0	0	0	0	0	
James Haggart	0	0	0	0	2	3	0	0	0	0	0	0	0	0	0	0	0	5	
N. Norton	9	9	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	2	
J. McDonell	10	10	0	0	5	15	0	0	0	0	0	0	0	0	0	0	0	11h	
A. McDonell	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	2h	
Alexander McDonell	0	0	0	0	3	6	0	0	0	0	0	0	0	0	0	0	0	6	
Francis Beaupre	0	0	0	0	2	0	32	0	0	0	900	0	0	0	0	400	0	0	
D. McDonell	12	12	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	4	
Robert McGloghlan	0	0	0	0	2	8	0	0	0	0	1	0	0	0	0	50	0	3h	
J. McDonald	0	0	0	0	3	2	0	0	0	0	0	0	0	0	0	0	0	29	
B. Lapensie	0	0	0	0	7	0	0	0	0	0	0	0	0	0	0	0	0	84	
E. Jones	0	0	0	0	2	0	10	0	0	0	0	0	0	0	0	0	0	20	
B. Madore	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	10h	
Adam Shaver	0	0	0	0	10	100	12	0	0	16	0	0	0	0	0	0	0	22	
Duncan McArthur	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	4	
James Grant	0	0	0	0	1	37h	0	0	0	0	0	0	0	0	0	0	0	9h	
John Grant	0	0	0	0	5	12	0	0	0	0	0	0	0	0	131	13	0	17	
D. McDonell	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	4	

Jones Wood	0	0	0	0	2	18	0	0	0	0	0	0	0	0	0	0	0	3h
J. McIntosh	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	1h
A. McGruen	0	0	0	0	1	3	0	0	0	0	0	0	0	0	0	23	0	6
Wm. McIntosh	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0	3h
Donald McDonell	0	0	0	0	1	9	0	0	0	0	0	0	0	0	0	0	0	7h
J. Chisholm	0	0	0	0	2	3	0	0	0	0	0	0	0	0	0	0	0	3
John McNeil	14	14	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	2h
John McDonald	0	0	0	0	2	3	0	0	0	0	0	0	0	0	0	0	0	3
D. McGillis	0	0	0	0	1	5	0	0	0	0	0	0	0	1	0	0	0	6
P. Sheaver	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	8
Michael Hanes	0	0	0	0	3	3h	2q	0	0	0	0	0	0	0	0	0	0	16
Wm. McLeod	0	0	0	0	2	5	0	0	0	0	0	0	0	0	0	0	0	7
Wm. Cummings	0	0	0	0	2	4	0	0	0	0	0	0	0	0	0	0	0	5
T. Young	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
J. Shell	15	15	0	0	1	6h	0	0	0	0	0	0	0	0	0	2h	0	7
Alexander McLeod	0	0	0	0	1	4	0	0	0	0	0	0	0	0	0	0	0	3
J. Weegar	16	16	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	5
James Grant	0	0	0	0	1	4	0	0	0	0	0	0	0	0	0	0	0	1h
Robert Lewellan	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	3
Rory McDonell	17	17	0	0	4	5	0	0	0	0	0	0	0	0	0	0	0	6h
A. Ferguson	0	0	0	0	2	6	0	0	0	0	0	0	0	0	0	0	0	0
John McDonell	18	18	0	0	1	9	0	0	4	4	0	0	2	0	0	27	0	0
J. McDonald	18	18	0	0	2	8	0	0	0	0	0	0	0	0	0	0	0	1
S. Robinson	19	19	0	0	1	5	0	0	0	0	0	0	0	0	0	0	0	2
Jeremiah H. Urtibeze	20	20	0	0	1	36	0	0	0	8	0	0	0	0	0	0	0	0
John Cameron	23	23	0	0	4	8h	0	0	0	0	0	0	0	0	0	0	0	4
J. Maranda	0	0	0	0	2	199	0	0	0	0	0	0	0	0	0	0	0	0
William Wood	24	24	0	0	3	3	0	0	0	0	0	0	0	0	50	50	0	4h
Thos. Johnston	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	5	0	2
Samuel Embury	0	0	0	0	2	3	0	0	0	0	0	0	0	0	0	14	0	15
D. McDonald	0	0	0	0	2	8	0	0	0	0	0	0	0	0	0	0	0	1h
Wm. McKay	0	0	0	0	2	10	0	0	0	0	0	0	0	0	0	0	0	6
A. Kenedy	25	25	0	0	2	107h	8	0	0	13	0	0	0	0	0	0	0	2
James Lynch	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	4
Wm. Dusber	0	0	0	0	2	4	0	0	0	0	0	0	0	0	0	9	0	1h
A. McDonell	0	0	0	0	5	9	0	0	0	0	0	0	0	0	0	0	0	0
Angus McDonell	26	26	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	4
James Clarke	0	0	0	0	2	14	0	0	0	0	0	0	0	0	0	0	0	14
Allan Cameron	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	8
J. McDonell	0	0	0	0	1	38h	0	0	0	0	0	0	0	0	0	0	0	2
A. McDonell	0	0	0	0	2	5	0	0	0	0	0	0	0	0	0	0	0	4
Duncan McKay	0	28	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	1
Keneth McLellan	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1h
P. Comer	0	0	0	0	2	4	0	0	0	0	0	0	0	0	0	0	0	11
John McIntosh	0	0	0	0	3	84	0	0	0	0	0	0	0	0	2	0	0	9

General Account of Articles on which Duties on Importation are imposed by the Legislature of Lower Canada.—*Continued.*

By whom furnished, dispatched, or accompanied.	Dates written accounts.	Dates passing Coteau du Lac.	Private Boats or Canoes.	King's Boats.	Carriages.	Gallons Jamaica Rum or Spirits	Gallons Foreign Brandy or Spirits.	Gallons Molasses.	Gallons Madeira Wine.	Gallons Port and all Wines not Madeira.	Lbs. Loaf or Lump Sugar.	Lbs. Muscovado Sugar.	Lbs. Coffee.	Lbs. Leaf Tobacco.	Lbs. Snuff or Flour of Tobacco	Lbs. Tobacco Manufactured any other way than Snuff.	Packs Playing Cards.	Minots Salts.	Remarks.
H. Munro	0	0	0	0	1	9	0	0	0	4	0	0	0	0	0	0	0	8	
John Curry	Mar.	3	0	0	4	45h	0	0	0	0	0	0	0	0	0	0	0	21	
J. Shaver	4	4	0	0	4	11	0	0	0	0	0	0	6	0	0	40	0	26	
Daniel Nettleton	0	0	0	0	1	41	10	0	0	0	0	0	0	0	0	0	0	12	
J. McNarin	0	0	0	0	3	6	0	0	0	8	0	0	0	0	0	0	0	14	
Alexander Ross	0	0	0	0	1	13	0	0	0	0	0	0	0	0	0	0	0	2	
A. McDonell	5	5	0	0	1	36	0	0	0	0	0	0	0	0	0	0	0	6	
John Crysler	0	0	0	0	4	25	0	0	0	0	0	0	0	0	0	0	0	28	
A. McDougald	0	0	0	0	1	74	0	0	0	0	0	0	0	0	0	0	0	0	
Alexander Urquhart	0	0	0	0	5	20	0	0	0	0	0	0	0	0	0	31	0	4	
J. Johnston	6	6	0	0	4	41	0	20	0	0	0	250	0	0	0	0	0	10	
J. McMullan	7	7	0	0	3	5	0	0	0	0	0	0	0	0	0	0	0	9	
D. McCauley	0	0	0	0	3	63	0	0	0	0	30	0	0	0	0	0	0	4	
Archibald Grant	0	0	0	0	10	27h	0	0	0	0	0	0	0	0	6	6	0	8	
D. McKay	0	0	0	0	6	172	0	0	0	0	0	0	0	0	0	0	0	3	
John McDonald	0	0	0	0	2	5	0	0	0	0	0	0	0	0	0	0	0	2	
John Hay	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	2	
George Fenny	8	8	0	0	2	3	0	0	0	0	0	0	0	0	0	0	0	1	
P. Ferguson	9	9	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	3	
Hugh Munro	10	10	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	
D. McMullan	0	0	0	0	2	4	0	0	0	0	0	0	0	0	0	0	0	3	
J. Stoneburner	0	0	0	0	2	13	0	0	0	0	0	0	0	0	0	0	0	0	
Jeremiah Snider	12	12	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	4	
H. Empey	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	8	
Ranald McDonald	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	2	
D. McPhall	0	0	0	0	1	5	0	0	0	0	0	0	0	0	0	0	0	3h	
C. McDonell	0	0	0	0	1	7	0	0	0	0	0	0	0	0	0	0	0	6	
J. McDonell	13	13	0	0	1	15	0	0	0	0	0	0	0	0	0	0	0	1	
John McIntosh	0	0	0	0	2	3h	0	0	0	0	0	0	0	0	0	7h	0	3	
A. McDonell and others	15	15	0	0	20	258	1h	0	0	0	0	0	0	0	0	19h	0	23h	
George Barnhart	16	16	0	0	2	70	20	0	0	0	0	0	0	0	0	0	0	8	
William Loucks	April	19	1	0	0	111	0	0	0	0	25	0	0	0	0	0	0	0	
J. Grasson	17	22	2	0	0	355	8	0	36	36	0	0	0	0	0	400	18	0	
John Grant	19	0	2	0	0	72	0	0	0	0	0	0	0	0	0	0	0	0	
D. David	21	23	2	0	0	9	0	0	0	54	0	0	0	432	0	0	0	4q	

Forsyth, Richardson & Co.	0	0	4	0	0	463	0	37	184h	125	242h	397	0	0	0	100	0	40
Burton and McCulloch.....	0	0	1	0	0	18	0	0	0	78	70	0	25	0	0	0	0	0
McTavish, Frobisher & Co..	22	25	4	0	0	18	0	0	185	0	0	0	0	0	0	0	0	48
John Grant	0	0	1	0	0	36	0	0	0	0	0	0	0	0	0	0	0	0
McTavish & Co	23	0	3	0	0	1023	0	0	0	0	0	0	0	0	0	0	0	0
McTavish & Co	26	28	4	0	0	128	0	0	45	27	0	0	12	0	0	0	0	4
John Grant	23	0	2	0	0	195	0	0	0	209	65	0	0	0	0	0	0	12
John Grant	28	Mar.2	2	0	0	16	0	0	0	16	0	0	0	0	0	0	0	4
John Grant	Mar3	5	2	0	0	180h	0	0	0	72h	0	0	0	0	0	0	0	25
James Caldwell	0	7	0	0	0	47	0	0	0	34	61	0	24	0	0	0	0	4
Lieut.-Gen Hunter	5	0	0	5	0	21h	5	0	204	100	100	283	0	0	0	0	0	6
Forsyth, Richardson & Co. .	14	17	2	0	0	91	0	0	94	37	25	0	89	0	0	0	0	4
Forsyth, Richardson & Co. .	0	19	0	20	0	408h	0	0	19	225	33h	0	6	0	0	0	0	8
John Lees	16	0	0	20	0	0	0	0	0	0	0	0	0	0	0	5,600	0	0
Patrick Robertson	18	21	1	0	0	0	0	0	37	36	43	0	0	0	0	0	0	0
Parker, Gerrard & Co.	20	22	2	0	0	228h	0	0	0	38h	0	237	0	0	112	0	0	0
John Grant	0	0	1	0	0	142	0	0	18	0	0	0	0	0	0	0	0	0
John Grant	26	28	1	0	0	108	0	0	0	9	0	0	0	0	0	0	0	0
Auldjo, Maitland & Co. ...	June	6	4	0	0	146	0	0	36	37	0	0	0	0	0	0	0	0
Parker, Gerrard & Co. ...	5	8	2	0	0	38	112	0	0	0	0	0	0	0	0	0	0	0
I. and A. McGill & Co.	0	0	2	0	0	37h	0	0	0	0	450	0	0	0	0	1,000	0	0
Jacob Farrand	9	9	1	0	0	101	29	0	77	15	161	0	4	0	0	0	0	4
Burton and McCulloch	0	10	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	48
Forsyth, Richardson & Co.	7	0	3	0	0	0	0	0	0	285	1935	0	0	0	0	455	144	0
I. A. McGill & Co.	9	11	4	0	0	0	0	0	0	148	0	0	0	0	0	0	0	0
Jonathan Fulford	0	12	0	0	1	44	0	0	0	0	0	0	0	0	0	0	0	4
William Stone	0	16	1	0	0	10	0	0	0	0	26	0	0	0	0	0	0	12
James Dunlop	0	19	3	0	0	218h	0	0	0	0	800	0	0	0	0	0	0	0
Auldjo, Maitland & Co. ...	19	21	4	0	0	0	0	0	0	36	0	0	0	0	0	0	0	0
Forsyth, Richardson & Co. .	0	0	3	0	0	148	0	0	113	278h	988	0	0	0	0	0	0	0
Forsyth, Richardson & Co. .	23	25	3	0	0	11	10	0	146h	221h	474	0	0	0	0	187	72	0
George Mersellis	0	0	1	0	0	75	0	0	0	16	0	0	0	0	25	33	0	0
John Grant	21	25	1	0	0	73	0	0	0	36	0	0	0	0	0	0	0	0
Daniel Campbell	0	0	1	0	0	18	0	0	0	0	10	0	0	0	100	350	0	48
John Cameron	28	28	1	0	0	108	8	0	0	8	0	0	0	0	24	14	0	0
Andrew Wallan	0	0	1	0	0	80	9	0	0	9	0	0	0	0	0	22h	0	8
B. French	0	0	0	0	1	16	8	0	0	0	21	0	0	0	0	0	0	0
George Barnhart	0	0	0	0	2	158	38	0	0	50	0	0	0	0	0	0	0	0
Ephraim Jones	0	0	1	0	0	170	0	0	0	8	170	0	0	0	15	60	0	39
M. Koughnett	0	0	1	0	0	383	43	0	0	99	42	0	0	0	54	115	0	12
J. A. McGill & Co.	26	29	3	0	0	207	16	0	0	111h	1180	225	0	0	0	330	0	12
W. Shaw	0	0	1	0	0	48	0	0	0	0	0	0	0	0	0	0	0	0
John Grant	0	0	1	0	0	40	10	0	12	0	0	0	0	0	0	0	0	0
General Total	.....	.....	80	45	341	9384¼	450½	57	121	2873½	7037	2323	168	432	478	9596	234	1446¾

RECAPITULATION.

Private Boats, etc.	No.	30	Madeira Wine	Gallons	1,211	Snuff, or Flour of Tobacco	Lbs. 478
King's Boats	No.	45	Port Wine, etc.	Gallons	2,873½	Carrot Tobacco, etc.	Lbs. 9,596
Carriages	No.	341	Loaf or Lump Sugar	Lbs.	7,037	Playing Cards	Packs 234
Jamaica Spirits, or Rum	Gallons	9,384¾	Muscovado Sugar	Lbs.	2,323	Salt	Minots 1,446
Brandy, or Foreign Spirits	Gallons	450¾	Coffee	Lbs.	168		
Molasses	Gallons	57	Leaf Tobacco	Lbs.	432		

District of Montreal—ss.

Before me, Alexander Auldjo, Esq., one of His Majesty's Justices of the Peace for the District of Montreal, personally appeared William Fraser, Inspector of Dutiable Articles at Coteau du Lac, who being duly sworn on the holy Evangelists of Almighty God, deposeth and saith, the above is a just and true account of all the dutiable articles which have passed Coteau du Lac upwards, between the first of January and thirtieth of June, 1802, as far as the same have come to his knowledge.

(Signed) WM. FRASER, Inspector.

Sworn before me at Coteau du Lac, 6th July, 1802.

(Signed) A. AULDJO, J.P.

Errors excepted.

(Signed) JOHN MCGILL,
Inspector General Pub. Prov. Accounts.

Inspector-General's Office, 26th January, 1803.

General account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac downwards, from the first January to the thirtieth of June, 1802.

NONE.

District of Montreal—ss.

Before me, Alexander Auldjo, Esq., one of His Majesty's Justices of the Peace for the said District, personally appeared William Fraser, Inspector of Dutiable Articles at Coteau du Lac, who being duly sworn on the holy Evangelists of Almighty God, deposeth and saith, that there has been no articles liable to duty passed Coteau du Lac downwards, between the first day of January and the thirtieth of June, 1802, that have come to his knowledge.

(Signed) WM. FRASER, Inspector.

Sworn before me at Coteau du Lac, 6th July, 1802.

(Signed) A. AULDJO, J.P.

Errors excepted.

(Signed) JOHN MCGILL,
Inspector General Pub. Prov. Accounts.

Inspector-General's Office, 26th January, 1803.

List of names of such persons as have been licensed to work stills in the several districts of the Province of Upper Canada, for the year ending 5th April, 1803, with amount of duty collected thereon, pursuant to an Act of the Provincial Parliament.

Names.	Number of Stills.	Number of Gallons.	Duty per Gallon. £ s. d.	Duties in each District £ s. d.	Total. £ s. d.	District.
Jonathan Morden	2	190	0 1 3	11 17 6		Home
James Mustard	4	280	0 1 3	17 10 0		
Robert Henderson	2	48	0 1 3	3 0 0		
Count de Chalus	2	72	0 1 3	4 10 0		
John Lottridge	2	120	0 1 3	7 10 0		
Elias Smith, jun.	2	205	0 1 3	12 16 3		
James Norris and Daniel Spicer	2	140	0 1 3	8 15 0		
John Cameron	2	245	0 1 3	15 6 3		
	18	1,300			81 5 0	
William Hughes	2	149	0 1 3	9 6 3		Niagara
John Koyle	2	145	0 1 3	9 1 3		
Smith Griffin	2	120	0 1 3	7 10 0		
Feltie Kyle	2	169	0 1 3	10 11 3		
Robert Nelles	2	165	0 1 3	10 6 3		
William Foster	2	142	0 1 3	8 17 6		
Thomas Lane	2	80	0 1 3	5 0 0		
Samuel Boyd	1	104	0 1 3	6 10 0		
David Secord	2	130	0 1 3	8 2 6		
Thomas Adams	1	125	0 1 3	7 16 3		
Robt. Hamilton, jun.	3	472	0 1 3	29 10 0		
	21	1,801			112 11 3	
Asa Osborn	2	164	0 1 3	10 5 0		London
Samuel Burdick	2	87¾	0 1 3	5 9 7¾		
	4	251¾			15 14 7¾	
Rich'd Cartwright, Esq	2	182	0 1 3	11 7 6		Midland
Henry Finkle	2	74	0 1 3	4 12 6		
Nathan Curtis	1	145	0 1 3	9 1 3		
William Fairfield	3	178	0 1 3	11 2 6		
Francis Pruyn	2	212	0 1 3	13 5 0		
Paul Huff	2	120	0 1 3	8 10 0		
Robert Wilkins	1	64	0 1 3	4 0 0		
Henry Cromley	1	90	0 1 3	5 12 6		
	14	1,065			67 11 3	
					277 2 1¾	

None ..... Eastern
No return yet received from my deputy in this district ..... Johnstown.
No return yet received from my deputy in this district ..... Western.

Errors excepted.

(Signed) WILLIAM JARVIS,
Secretary.

Secretary's Office,
York, 22nd January, 1803.

Brought down			£277	2 1¾
Deduct an overcharge on two stills of 120 gallons. in name of Paul Huff	£1	0 0		
And add so much short extended on two stills of 87¾ gallons, name of Samuel Burdick	0	0 ½	0	19 11½
			£276	2 2¼

(Signed) JOHN MCGILL,
Inspector General Public Provincial Accounts.

Inspector-General's Office,
26th January 1803.

List of names of persons licensed as shop and innkeepers in the several districts of the Province of Upper Canada, for the year ending 5th April, 1803.

District.	Names of Persons.	Description of License.
Midland	Law. Herohmere	Shop.
"	John Kirby & Co.	"
"	Thomas Markland	"
"	John Cumming	"
"	Joseph Forsyth	"
"	Donald McDonell	"
"	John Stauber	"
"	James Robins	"
"	Philip Pember	Tavern.
"	Thomas Cooke	"
"	Robert Walker	"
"	William Brayley	"
"	Thomas Richardson	"
"	Joseph Huffman	"
"	John Davy	"
"	Stephen Fairfield	"
"	Margaret Simpson	"
"	Joseph Beasely	"
"	Henry Bowen	"
"	Henry Bersky	"
"	John Kemp	"
"	Samuel Hitchcock	"
"	John Morden	"
"	Daniel Cole	"
"	Caleb Benedict	"
"	James Richardson	"
Niagara	Andrew Smith	Shop.
"	John Boyd	"
"	John Greer	"
"	Samuel Thompson	"
"	Henry Warren	"
"	Alexander Douglass	"
"	John Dunn	"
"	Joseph Edwards	"
"	Geo. Forsyth & Co.	"
"	Thomas Dickson	"
"	Robert Hamilton	"
"	Thomas Clarke & Co.	"
Niagara	Robert Murray	Shop.
"	Thomas Walsh	"
"	Wm. and Jas. Crooks	"
"	Thomas Cummings	"
"	Benjamin Hardison	"
"	John Muirhead	"
"	William Kent	"
"	Kensela and Degraff	"
"	Staats and Tenyke	"
"	Quetton St. George & Co.	"
"	Wm. and J. Robertson	"
"	Thomas Dexter	Tavern.
"	William Hamilton	"
"	Ann Lyons	"
"	John Knox	"
"	John Fanning	"
"	Charles Fields	"
"	Joseph Smith	"
"	Enas Scott	"
"	Joshua Fairbanks	"
"	Andrew Miller	"
"	Jonathan Wolferton	"
"	John C. Pettite	"
"	Mathias Hawn	"
"	Daniel Shannon	"
"	James Henry	"
"	Robert Runehay	"
"	Joseph Brown	"
"	Benjamin Wintermute	"
"	Gilbert Drake	"
"	Smith Griffin	"
"	Allan McDougall	"
"	Richard Phillips	"
"	Gilbert Fields	"
"	John Daly	"
"	James Macklim	"
"	John McDonell	"
"	Samuel Pew	"

District.	Names of Persons.	Description of License.
Niagara	Samuel Vanwyk	Tavern.
"	Charles Anderson	"
"	Andrew Rouback	"
"	Elias Rose	"
Eastern	Jacob Empey	Shop.
"	John Cameron	"
"	Hugh McDonell	"
"	Richard Loucks	"
"	John McDougall	Tavern.
"	Allan Campbell	"
"	Uriah Bowen	"
"	George Barnheart	"
"	James Reid	"
"	Mich. Van Koughnett	"
"	Christian Gallenger	"
"	Thomas Munro	"
"	Daniel Campbell	"
"	John McDonell	"
"	William Loucks	"
"	Zadock Pratt	"
"	James Barron	"
"	John B. Hartwick	"
"	Aaron Brown	"
"	Adam Shaver	"
"	John Dixon	"
"	Henry Merkley	"
"	Margaret Bruce	"
"	John Hoople	"
London	John Troyer	Shop.
"	Stephen Bastow	"
"	Benjamin Malory	Tavern.
London	Job Loder	Tavern.
"	James Munro	"
Home	William Allan	Shop.
"	Count Chalus	"
"	Alexander Wood	"
"	Cameron and Cozens	"
"	Patrick Mealey	"
"	August Boiton	"
"	Francis Marfurl	"
"	Jacob Herchmer	"
"	Quetton St. George & Co.	"
"	Mathias Saunders	Tavern.
"	Thomas Hill	"
"	Hugh McPhie	"
"	Joseph Hunt	"
"	William Cooper	"
"	Miles & Playter	"
"	Hannah McBride	"
"	John McDougall	"
"	Thomas Hamilton	"
"	John Everson	"
"	Rine Tourneaux	"
"	Elisha Beaman	"
"	Elias Smith	"
"	George Purvis	"
"	Joseph Harrison	"
Johnstown	No return yet received from my deputy in this district.	
Western	No return yet received from my deputy in this district.	

Errors excepted.

Secretary's Office,
York, Jan. 22nd, 1803.

(Signed) WM. JARVIS, *Secretary.*
Inspector-General's Office, 26th Jan., 1803.

(Signed) JOHN MCGILL,
Inspector Gen. Pub. Prov. Accts.

General Account of Articles on which Duties on Importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards, from the 1st July to the 31st December, 1802, agreeable to the written accounts thereof received, or as ascertained on examination of Carriages according to the Act.

By whom furnished, dispatched or accompanied.	Dates written accounts.	Dates passing Coteau du Lac.	Private Boats or Canoes.	King's Boats.	Carriages.	Gallons Jamaica Rum or Spirits.	Gallons Foreign Brandy or Spirits.	Gallons Molasses.	Gallons Madeira Wine.	Gallons Port and all Wines not Madeira.	Lbs. Loaf or Lump Sugar.	Lbs. Muscovado Sugar.	Lbs. Coffee.	Lbs. Leaf Tobacco.	Lbs. Snuff.	Lbs. Manufactured Tobacco.	Packs Playing Cards.	Minots Salt.	Remarks.
	July	July																	
John Grant	1	1	2	0	0	216	0	0	0	0	0	0	0	0	0	0	0	0	
Elisha Beman	0	0	2	0	0	72	0	0	27h	39h	166	0	101	0	0	0	0	0	
Pierce Lamotte	2	2	0	0	1	70	0	0	0	0	0	0	0	0	0	50	0	0	
J. & A. McGill & Co.	0	4	3	0	0	0	0	0	0	37h	1000	0	0	0	0	682	0	0	
Parker, Gerrard & Co.	3	5	2	0	0	114	0	0	0	0	295	0	0	0	0	0	0	0	
John Grant	4	6	2	0	0	806	0	0	73	72	0	0	0	0	0	0	0	0	
Auldjo, Maitland & Co.	0	0	3	0	0	324	35	0	36	223	104	400	69	0	0	157	0	0	
James Dunlop	0	0	2	0	0	255h	0	0	9	0	45	0	0	0	0	0	0	8	
John Grant	0	7	2	0	0	118	0	0	0	0	0	0	0	0	0	0	0	0	
Christian Gallenger	0	8	1	0	0	36	0	0	0	0	0	0	0	0	0	7	0	0	
Forsyth, Richardson & Co.	7	0	3	0	0	49h	0	0	38	214	349h	232	49	0	0	0	0	4	
A. and R. Pattinson	0	0	1	0	0	30	56	0	0	0	0	0	0	0	0	0	0	0	
J. Grant	10	12	1	0	0	108	0	0	0	0	0	0	0	0	0	0	0	24	
James Breakenridge	0	13	1	0	0	9	0	0	0	10	50	0	0	0	0	40	0	0	
Hugh McDonell and others	0	14	4	0	0	981	77	0	4	154	236	0	0	0	30	27	0	28	
J. and A. McGill & Co.	14	16	3	0	0	152	0	0	0	0	0	435	0	0	0	0	28	0	
McTavish, Frobisher & Co.	0	17	5	0	0	918	0	0	296	0	0	0	0	0	0	0	0	0	
Sam. Weatherhead	0	18	1	0	0	383	18	0	0	0	0	0	0	0	0	0	0	8	
Forsyth, Richardson & Co.	0	19	6	0	0	147	0	0	73h	112	0	120	87	0	0	0	0	0	
John Grant	17	0	1	0	0	144	0	0	0	0	0	0	0	0	0	0	0	0	
Charles Jones	0	0	2	0	0	133	46	0	10	36	350	224	0	0	110	250	28	2	
James Dunlop	22	24	3	0	0	0	35	0	0	0	192h	1030	0	0	0	0	0	0	
Parker, Gerrard & Co.	0	0	2	0	0	198	38	0	0	74h	303h	0	63	0	0	112	24	0	
Wiliam Larose	24	26	1	0	0	18	0	0	0	25h	8h	0	0	0	0	64	0	4	
John Grant	26	29	2	0	0	216	0	0	0	0	90	784	4	0	0	0	0	0	
Wiliam Loucks	28	31	1	0	0	308	0	0	0	18	0	0	0	0	0	32	0	0	
J. and A. McGill & Co.	0	Aug. 1	3	0	0	80	47	0	37	112	478¾	206h	150	0	0	446	0	0	
James Dunlop	Aug.	0	0	2	0	0	19	0	0	0	213	0	0	0	0	0	0	0	
Nathaniel Norton	2	0	0	0	1	50	0	0	0	0	8	0	0	0	0	0	0	0	
Benjamin Leymour	0	0	1	0	0	45	2	0	16	0	0	0	0	0	0	0	0	0	

McTavish, Frobisher & Co...	0	0	4	0	0	290	0	0	0	0	0	0	0	0	0	0	0	0	
McTavish, Frobisher & Co...	0	0	4	0	0	342	0	0	0	0	0	0	0	0	0	0	0	0	
John King	3	3	1	0	0	9	9	0	12	17	89	0	0	0	0	100	0	4	
P. Robertson & Co.	3	3	2	0	0	74	0	0	37	112	140	0	75	0	0	0	24	27	
Forsyth, Richardson & Co.	0	0	6	0	0	185	74h	0	37	333	298h	344h	87	0	0	0	24	26h	
James E. Campbell	0	5	1	0	0	45	0	0	19	9	17	0	0	0	0	0	0	0	
James & A. McGill & Co.....	4	7	3	0	0	110	0	0	0	0	0	0	0	0	0	0	44	0	
Parker, Gerrard, O. & Co. .	5	0	3	0	0	109	37	77	0	73h	0	370	0	0	0	0	72	44	
Parker, Gerrard, O. & Co. .	0	8	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0	40	
J. Blackwood, Jr., & Co. ...	0	0	0	6	0	34	0	0	0	38	226	0	0	0	0	0	0	4	
J. Blackwood, Jr., & Co. ...	0	0	1	0	0	305h	0	32h	38	38	0	0	0	0	0	0	0	0	
William Loucks	0	0	1	0	0	63	16	0	0	18	0	0	0	0	0	0	0	0	
John Hoople	0	0	1	0	0	25	0	0	0	0	40	0	0	0	0	0	0	0	
John Crysler	10	11	2	0	0	327	0	0	0	37	110	0	0	0	0	200	0	0	
Parker, Gerrard, O. & Co. .	0	15	2	0	0	289	9	37	38	21	0	0	0	0	0	0	0	0	
I. L. Jacobs	0	0	0	1	0	18	7	0	0	10	124	0	0	0	0	0	0	0	
Auldjo, Maitland & Co.	0	0	0	16	0	678	55	0	10	293	74	375	0	0	0	0	0	13	
McTavish, Frobisher & Co. .	14	17	3	0	0	270	0	0	0	0	0	0	0	0	0	0	0	12	
J. & A. McGill & Co.	0	0	0	0	0	113	0	0	0	37h	59	0	0	0	0	187	0	0	
James Dunlop	0	0	0	0	0	8h	8½	0	0	0	250	149	0	0	0	0	0	0	
John Grant	0	18	1	0	0	108	0	0	0	25	100	0	0	0	0	0	0	0	
Henry Markly	0	19	1	0	0	142	0	0	0	36	14	0	0	0	25	33	0	0	
Adam Loucks	22	22	1	0	1	38	0	0	0	18	8	0	0	0	0	7	0	4	
Forsyth, Richardson & Co...	19	0	5	0	0	402	38	0	259	231h	1037h	0	724h	0	0	168	0	84	
B. Gary	0	23	0	0	0	38	27	0	0	9	0	0	0	0	0	0	0	0	
James Laing & Co.	21	0	1	0	0	120	0	0	0	3	0	0	0	0	0	0	0	0	
J. & A. McGill & Co.	20	0	2	0	0	336h	0	26h	0	113	354	0	0	0	0	0	0	0	
Nicholas Consigny	0	25	1	0	0	80	0	0	0	30	0	0	0	0	0	0	0	20	
James Reid	0	0	1	0	0	120	38	0	0	9	0	0	0	0	10	24	0	4	
D. Davids	0	26	2	0	0	224h	36	0	73h	219h	150	0	75	0	0	370	0	0	
John Grant	23	27	1	0	0	124	0	0	0	0	0	0	0	0	0	0	0	0	
J. & A. McGill & Co.	0	28	2	0	0	37h	0	0	0	0	0	0	0	0	0	0	0	0	
Parker, Gerrard, O. & Co. .	25	0	3	0	0	190h	0	37h	32	0	579	0	122	0	0	327	0	0	
P. Robertson & Co.	0	0	5	0	0	0	0	0	74h	137h	138	0	449h	0	0	0	72	85	
Auldjo, Maitland & Co.	0	30	2	0	0	409	0	0	37	95	60	0	0	0	0	0	0	0	
John McDougald	0	0	0	0	2	184	0	0	0	0	10	0	0	0	0	25	0	0	
John Grant	0	0	1	0	0	498	0	0	0	0	116	0	253	0	0	0	0	0	
John Grant	Sep.1	1	2	0	0	0	0	0	72	114	0	0	0	0	0	0	0	0	
J. & A. McGill & Co.	0	2	3	0	0	225h	38	0	38	115	361	291	0	0	0	187h	48	20	
James Durand	0	3	2	0	0	147	0	0	118	0	77	0	0	0	0	0	0	0	
McTavish, Frobisher & Co...	0	0	6	0	0	520	75	0	148	259	544	0	269	0	0	0	0	0	
John Grant	0	0	1	0	0	340	0	0	0	0	0	0	0	0	0	0	0	9	
McTavish, Frobisher & Co...	2	4	4	0	0	186	0	0	0	0	560	0	250	0	0	0	0	0	
D. Davids	0	0	1	0	0	37	36	0	72	108	152	0	75	0	0	0	0	0	
Forsyth, Richardson & Co...	5	7	6	0	0	1440h	0	10	0	38h	264	0	44	0	0	0	36	0	

General Account of Articles on which Duties on Importation are imposed by the Legislature of Lower Canada—*Continued.*

By whom furnished, dispatched or accompanied.	Dates written accounts.	Dates passing Coteau du Lac.	Private Boats or Canoes	King's Boats.	Carriages.	Gallons Jamaica Rum or Spirits.	Gallons Foreign Brandy or Spirits.	Gallons Molasses.	Gallons Madeira Wine.	Gallons Port and all Wines not Madeira	Lbs. Loaf or Lump Sugar.	Lbs. Muscovado Sugar.	Lbs. Coffee.	Lbs. Leaf Tobacco.	Lbs. Snuff.	Lbs. Manufactured Tobacco.	Packs Playing Cards.	Minots Salt.	Remarks.
McTavish, F. & Co.	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8	
Henry Pelerin	0	8	0	6	0	133h	0	0	0	14h	119	28	0	0	0	0	0	48h	
J. & A. McGill & Co.	0	9	4	0	0	459	113	0	342h	152	359	0	301	0	0	0	36	24	
J. Grant	7	10	2	0	0	0	0	0	112	56	0	0	0	0	0	0	0	0	
Joseph Brownell	0	11	1	0	0	68	51	0	0	15	0	0	0	0	0	0	0	28	
J. & A. McGill & Co.	10	12	3	0	0	0	0	0	37h	0	0	0	0	0	0	1000	0	116	
Forsyth, R. & Co.	0	13	3	0	0	589	0	0	130	76	152	0	81	0	0	0	0	20	
Peter Robertson & Co.	10	16	2	0	0	0	0	0	37h	0	0	0	0	0	0	0	0	43	
Forsyth, R. & Co.	0	0	0	3	0	810h	0	0	0	0	0	1381	0	0	0	0	0	12	
James Dunlop	0	0	0	4	0	694	73h	33h	128	788	332h	366	12	0	0	0	204	12	
J. & A. McGill & Co.	15	18	2	0	0	609	0	0	0	38	0	0	0	0	0	0	0	40	
J. Grant	0	19	2	0	0	0	0	0	0	56	0	0	0	0	0	0	0	36	
Auldjo and Maitland	0	0	1	0	0	108	36	0	0	280	0	0	0	0	0	400	0	0	
J. & A. McGill	0	0	0	4	0	0	0	0	38	75h	162	0	71h	0	0	0	0	0	
J. Grant	0	0	2	0	0	36	0	0	0	0	0	0	0	0	0	0	0	84	
Forsyth, R., & Co.	21	24	6	0	0	369h	16h	74	348h	73	1201	0	455	0	0	127	72	46	
McTavish, F., & Co.	22	29	6	0	0	46	0	0	0	0	0	0	0	0	0	0	0	0	
James Dunlop	25	0	0	0	0	21	0	0	0	57h	63h	83	0	0	0	0	0	0	
Parker, Gerrard, O., & Co.	26	29	2	0	0	332h	0	0	204h	205	121	0	0	0	0	0	0	13	
J. Baby	0	0	1	0	0	0	0	0	74	0	0	0	0	0	0	0	0	0	
Auldjo, Maitland & Co.	0	30	1	0	0	470	10	0	0	128	0	0	0	0	0	0	0	0	
Forsyth, R., & Co.	Oct. 1	1	4	0	0	18	0	0	104	77	202	262	108	0	0	0	0	8	
Alexander Mullan	0	3	1	0	0	56	0	0	0	0	22	0	0	0	0	0	0	4	
C. Curry	0	0	0	3	0	38	0	12	0	0	0	350	50	0	0	0	0	10	
J. & A. McGill & Co.	0	0	3	0	0	280h	0	0	0	0	77q	288h	233	0	0	58	0	84	
J. McDonell	0	0	0	0	1	9	0	0	0	32	7	0	0	0	0	0	0	0	
J. & A. McGill & Co.	3	8	3	0	0	0	0	0	75	0	0	0	0	0	0	0	0	180	
J. Blackwood & Co.	0	0	1	0	0	154	0	0	0	0	0	0	0	0	0	0	0	0	
J. Grant	0	0	2	0	0	268 35/55	0	0	0	28	0	0	0	0	0	0	0	55	
James Laing & Co.	6	9	1	0	0	182	9 1/4	0	0	47	0	0	0	0	0	0	0	12	
Auldjo, Maitland & Co.	7	10	2	0	0	940	227	0	0	213	136	828	81	0	0	0	72	0	
John Crysler	9	12	2	0	0	181	0	0	0	18	0	0	0	0	0	0	0	18	

Parker, Gerrard, O., & Co. .	7	0	1	0	0	229	60	0	0	37h	0	0	0	0	0	197	0	0
John McDonell	0	12	1	0	0	36h	0	0	0	38h	48	0	6	0	0	0	0	0
John Cameron	0	13	1	0	0	91	0	0	0	0	22	0	0	0	6	40	0	0
Forsyth, R., & Co.	11	14	5	0	0	1131h	106	38	74	134h	0	707	145	0	0	3497	84	0
Louis Mahow	14	14	1	0	0	45	9	0	0	36	0	60	0	0	0	0	0	28
Jacob Empey	0	15	1	0	0	264	0	0	0	0	0	0	0	0	0	212	0	13
John Grant	0	16	2	0	0	252	0	0	0	0	0	300	0	0	0	0	0	20
Auldjo, Maitland & Co. ...	0	17	0	2	0	0	0	0	36	66	0	0	0	0	0	0	0	0
J. & A. McGill & Co.	0	0	0	0	0	186	0	0	0	0	0	330	0	0	0	0	0	12
Parker, Gerrard, O., & Co. .	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	40
J. & A. McGill & Co.	15	0	3	0	0	185	0	0	0	0	0	0	0	0	0	0	0	32
Forsyth, R., & Co.	0	20	1	0	0	513	0	0	0	38	287	0	0	0	0	0	48	0
James Dunlop	0	22	2	0	0	433	37h	0	37	110	141	743	0	0	0	188	0	40
Forbes Mitchell	0	0	1	0	0	16	0	0	0	4	0	30	0	0	0	0	0	0
Peter Robertson & Co	0	0	1	0	0	259	0	0	46	38	30	224	0	0	0	0	60	0
Auldjo, Maitland & Co. ...	17	0	4	0	0	1032	75	36	151	573	240	360	0	0	0	345	120	2h
Henry Pelerin	0	0	0	2	0	352	0	0	0	0	0	0	0	0	0	0	0	0
Forsyth, R., & Co.	0	0	4	0	0	234	0	0	150	226	0	0	46h	0	0	0	0	96h
Jacob Coons	17	25	1	0	0	74	10	0	0	0	0	0	0	0	0	46	0	14
H. Markle	25	26	1	0	0	155	8	0	0	8	11	0	5	0	0	160	0	24
John Grant	0	0	1	0	0	142	0	0	0	30	0	0	0	0	0	0	0	10
Peter Grant	0	27	2	0	0	72	0	0	58h	0	0	0	0	0	0	0	0	30
Alexander Rose	Nr. 1	Nr. 1	0	0	1	9h	0	0	8	0	20	0	0	0	0	0	0	0
Michael Koughnette	0	0	1	0	0	148	68	0	0	0	58	0	0	0	58	42	0	24
Joel Stone	0	2	1	0	0	89h	0	0	18	50	33h	0	0	0	10	50	0	0
J. & A. McGill & Co.	0	3	2	0	0	710	0	0	232	0	0	0	0	0	0	0	0	0
John Campbell & Co.	0	0	2	0	0	470	18	0	0	9	0	0	0	0	0	100	0	36
Parker, Gerrard, O., & Co. .	0	0	3	0	0	113	0	0	10	157h	0	1050	0	0	0	0	0	97
Richard Loucks	0	0	1	0	0	224	36	0	0	36	15	0	0	2	0	0	0	8
Auldjo, Maitland & Co. ...	0	0	1	0	0	380	3	0	15	0	0	0	0	0	0	0	0	25
John McInnis	0	4	1	0	0	47	0	0	0	0	0	0	0	0	0	0	0	0
S. Trowsey	0	0	1	0	0	74	0	0	0	0	0	0	0	0	0	0	0	45
Wm. Crawford	2	5	1	0	0	0	0	0	0	0	80	0	0	0	0	0	0	0
Parker, Gerrard, O., & Co. .	3	7	1	0	0	39	0	0	0	60	105	517	0	0	0	0	0	28
	Nov.																	
John Hoople	0	8	1	0	0	178	0	0	0	0	60	0	0	0	0	0	0	2
John Grant	0	9	1	0	0	144	0	0	0	0	0	0	0	0	0	0	0	26
John Grant	15	17	4	0	0	106	0	0	0	216	448	0	0	0	0	0	0	0
Wm. McPherson	0	20	1	0	0	250	0	0	0	50	0	0	0	0	0	20	0	0
John Grant	20	22	1	0	0	36	0	0	0	0	0	0	0	0	0	0	0	0
P. Demming	25	25	1	0	0	61	0	0	0	0	9	0	0	0	0	0	0	4
P. Grant	0	0	1	0	0	157	37h	0	36h	0	0	0	0	0	0	0	0	4
Wm. McGloghlan	22	22	0	0	1	0	0	0	0	0	0	0	0	0	50	6	0	0
	Dec.																	
J. Curry	23	23	0	0	3	80	0	0	3	0	0	0	0	0	0	11	0	0

General Account of Articles on which Duties on Importation are imposed by the Legislature of Lower Canada—*Continued.*

By whom furnished, dispatched or accompanied.	Dates written accounts.	Dates passing Coteau du Lac.	Private Boats or Canoes.	King's Boats.	Carriages.	Gallons Jamaica Rum or Spirits.	Gallons Foreign Brandy or Spirits.	Gallons Molasses.	Gallons Madeira Wine.	Gallons Port and all Wines not Madeira.	Lbs. Loaf or Lump Sugar.	Lbs. Muscovado Sugar.	Lbs. Coffee.	Lbs. Leaf Tobacco.	Lbs. Snuff.	Lbs. Manufactured Tobacco.	Packs Playing Cards.	Minots Salt.	Remarks.
Angus McDonald	0	0	0	0	1	115	0	0	0	0	0	0	0	0	0	11	0	2	
John Wood	0	0	0	0	1	72	8	0	0	0	0	0	0	0	0	0	0	0	
Murdoch McLean	26	26	0	0	1	5	0	0	0	0	0	0	0	0	9	0	0	3	
Alexander McDonald	0	0	0	0	1	12	0	0	0	0	0	0	0	0	4	0	0	10	
D. Fraser	27	27	0	0	5	107	0	0	0	0	0	0	0	0	0	32	0	16	
J. McMullan and others	28	28	0	0	2	7	0	0	0	0	0	0	0	0	2	10	0	4	
John Curry	29	29	0	0	2	130	0	0	0	0	0	0	0	0	12	0	0	4h	
John McDougald	29	0	0	0	5	150h	0	0	0	0	0	0	0	0	0	0	0	26	
General Total	.....	.....	270	57	29	31795⅝	1889	414	4242	8063h	14475h	13168h	4542	2	326	10047h	1196	2096h	

RECAPITULATION.

Private Boats and Canoes	No.	270
King's Boats	No.	57
Carriages	No.	29
Jamaica Spirits, or Rum	Gallons	31,795 5-8
Brandy, or Foreign Spirits	Gallons	1,889
Molasses	Gallons	414
Madeira Wine	Gallons	4,242
Port Wine, etc.	Gallons	8,063½
Loaf and Lump Sugar	Lbs.	14,475½
Muscovado Sugar	Lbs.	13,168½
Coffee	Lbs.	4,542
Leaf Tobacco	Lbs.	2
Snuff, or Flour of Tobacco	Lbs.	320
Manufactured Tobacco	Lbs.	10,047½
Playing Cards	Packs	1,196
Salt	Minots	2,096½

District of Montreal—ss.

Before me, John Bouthillier, one of His Majesty's Justices of the Peace for the District of Montreal, personally appeared William Fraser, Inspector of dutiable articles at Coteau du Lac, who being duly sworn on the Holy Evangelists of Almighty God, deposeth and saith, the above is a just and true account of all the Dutiable Articles which have passed Coteau du Lac upwards between the 1st day of July and the 31st December, 1802, as far as the same have come to his knowledge.

(Signed) J. Bouthillier, J.P.

(Signed) Wm. Fraser, Inspector.

Errors excepted,

Montreal, 4th January, 1803.

Inspector-General's Office, 10th February, 1803.

(Signed) John McGill, Inspector-General Pub. Prov. Accounts.

General account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac downwards, from the 1st July to the 31st December, 1802, agreeable to the written accounts thereof received, or as ascertained on examination of carriages, according to the Act.

NONE.

District of Montreal—ss.

Before me, John Bouthillier, one of His Majesty's Justices of the Peace for the District of Montreal, personally appeared William Fraser, Inspector of dutiable articles at Coteau du Lac, who being duly sworn on the Holy Evangelists of Almighty God, deposeth and saith, that there has been no dutiable articles passed Coteau du Lac, between the 1st day of July and the 31st day of December, 1802, that have come to his knowledge.

(Signed) J. Bouthillier, J.P.

(Signed) Wm. Fraser, Inspector.

Montreal, 4th January, 1803.

Errors excepted,

Inspector-General's Office, 10th February, 1803.

(Signed) John McGill, Inspector-General Pub. Prov. Accounts.

51 A

GENERAL INDEX

A.

Abbatibbee Lake, 589. River, 589.
Academy at York, 67.
Accounts, Adjutant General, Contingencies, 80, 82, 175, 187, 376.
Administration of Justice, 168, 404, 405.
Assize, Eastern Dist., 703; 720; Gore Dist., 707, 715; Home Dist., 706, 708, 711; Johnstown Dist., 703, 718; London Dist., 715; Midland Dist., 704, 721; Newcastle Dist., 703, 717; Niagara Dist., 706; Western Dist., 715.
Board of Audit of Public, 633.
Contingent, 69, 164, 176, 184, 187, 188, 189, 190, 191, 192, 381, 397, 400, 410, 415, 424, 425, 426, 642, 682, 683, 684, 685.
Crown office, Brockville, 700; Charlotteville, 700; Eastern Dist., 699, 700; Gore Dist., 700; Home Dist., 699, 700, 701; Kingston, 700; Newcastle Dist., 699, 700; Niagara Dist., 700; Sandwich, 700, 708; Western Dist., 700, 715; York, 700, 701.
Detailed, 215.
District Treasurers, 300, 323, 324, 326, 343, 362, 363, 369, 550, 554.
Estimates, 5, 9, 437.
Expenditure on Internal Navigation, 602.
Provincial, Inspector General of, John McGill.
Public, 3, 26, 70, 78, 204, 208, 209, 263, 285, 303, 309, 372, 375, 397, 399, 407, 408, 409, 411, 414, 415, 420-423, 437, 454, 478, 538, 566-572; Inspector General of, Mr. Baby; Acting Inspector, J. Scarlet.
Public, Lower Canada, 408, 414.
Receiver General, 375, 407, 414, 454, 568, 569, 716, 731, 755, 757, 759.
Registers, 375, 695.
Sergeant at Arms Office, 683.
Solicitor General's Office, 703.
Special Receiver, 475, 556, 557.
Surveyor General's Office, 701.
Accommodation in House of Assembly, 6; Enlargement of, 186, 187, 188, 191.
Acts, Expiry of, 4 (See Laws).
Adams, A., 735.
Adams, E., 736.
Adams, J. H., Dep. Commissioner General, 509, 510.
Adams, Thomas, 773.
Addington, Lenox and, Members presented, 222, 437.
Naming of and boundary, 140, 141. Representation, 143.
Petition *re* solemnizing Matrimony, 48.
Petition of Inhabitants, 118.
Petition Protesting Election of Barnabas Bidwell, Esq., 4, 7-9, 31, 36, 37, 115-116, 147, 148, 149, 152; Do. *re* Matthew Clark, Esq., 215-217, 273, 274, 306, 315; Do. *re* George Ham, Esq., 441, 444, 450, 452, 539; *re* Election of Marshal Spring Bidwell, 215-217, 313, 314, 315, 441, 442, 443, 444; Trial of Election of Barnabas Bidwell, 124, 125, 145, 146, 147, 148, 149, 152, 153; Process to Issue, 455; Indenture of Returning Officer, 30, 224; *re* Returning Officer, 215, 441, 539; Writ of Election, 29-30; 153, 215, 216, 223, 224, 316, 441, 447-449, 539; Fee for same, 697, 698; Libel *re* Proceedings of House on Petition, 193.
Re Separation of Counties, 449, 450, 451, 465, 481, 542, 559, 562.
Re Townships to Compose Counties, 465.
Addison, Rev. Robert, Chaplain of the House of Assembly, 398, 430, 753, 764.
Addresses *re*:—Accounts, Contingent, 192, 193; Public Accounts, 27, 28, 83, 408, 412, 414, 415, 420-423, 424, 425; District Treasurer's Accounts, 300, 323, 326.
Administration of Justice, Expenses Incurred, 311.
Admission of Breadstuffs into Great Britain, 604.
Appointment of Attorney General to present address to His Majesty *re* financial relations with Lower Canada, 169.
Bank Message, 326.
Boundary Line, 269, 272, 274, 275, 276, 280, 458, 472, 474, 475, 476, 480, 589, 596.
Brock's Monument, 144, 145, 146, 147.
Canada Trade Act, 210, 211, 222. Request for report of proceedings of Arbitrators appointed under, 458. Thanks for same, 528, 529, 542, 544.
Canal, Bay of Quinte, 538.
Canal, Commissioner's Report, 363, 364, 369, 374, 619, 627, 628, 639.
Circuits (of Courts), 311, 327, 339, 340, 343, 557, 666.
Claims of Sufferers from the late war with the United States (1812), 214, 292, 299, 300, 301, 307, 459, 461, 472, 475, 480, 602. Further indemnity, 679.
Commissioner to present address to His Majesty, 171, 172 176. Detention in England of Commissioner, 353.
Court of King's Bench, fees in, 610.
Dissolution of Parliament, 377.
Duties collected at Port of Quebec, 317, 326, 365, 455, 456, 458, 461. Dutiable

articles imported into Port of Quebec, 390.
Forfeited Estates, 173, 184, 185, 214, 220. Asking for return *re* moneys payed on account of, 461, 475, 557.
Grand River Bridge, 150.
Immigration into Province, 389.
Improvement of Navigation of St. Lawrence, 410, 411, 414, 417. Internal or Inland Navigation, 602, 665, 666, 667, 668.
Incorporated Militia, 292, 299, 300, 610, 611-613, 624.
Journals of the House, 247, 283, 284, 286, 290.
Lands granted to Militia men for service in war with United States (1812), 372, 373, 374.
Lower Canada Lumber duties, 410.
Moneys to be advanced for alterations to Commons House of Assembly, 186, 187, 188. Moneys in arrear, 75. Moneys issued and advanced by His Excellency, 82, 364, 430, 604, 618.
Office of Adjutant General, 85, 90.
Office of Provincial Agent, 65.
Printing of Provincial Statutes of 1820-1822, 397, 417.
Provincial Arbitrators, 354.
Public Accounts, 28, 83, 408, 412, 414, 415, 420-423, 424, 425.
Reply to addresses, 428-432.
Retrenchment, 402, 404, 405, 419.
Revenue withheld by sister Province, 362, 380.
Speech from the Throne, Answer to, 4, 5, 6, 27, 28, 205, 206, 207, 208, 209, 445, 446. Reply to same, 215, 444, 447.
Trade Act, 210, 211, 222. Request for report of proceedings of Arbitrators appointed under, 458. Thanks for same, 528, 529, 542, 544.
Trade between Upper and Lower Canada, Report asked for, 474, 475, *re* payment of award under, 594, 610.
Transmission of Address to His Majesty, 608, 611, 619.
Union of Provinces, Information as to, 213, 222.
Warrants to issue in payment of various persons, 424, 425, 426, 427, 428.
Addresses from His Excellency, Prorogation of Parliament, 195-197, 431-432, 688-690.
Addresses to His Majesty: Boundary Line, 589, 666: Boundary Line and Barnhart's Island, 674-676: Commercial relations of Upper and Lower Canada, 6, 112, 121, 161, 163, 166, 325, 362, 380; Claims of the Church of Scotland, 593, 596, 606, 607, 611, 623; Claims of Sufferers during the late War, 666, 672, 676, 677; Half pay for Officers of the late Incorporated Militia, 225, 226, 292, 298, 300; Importation of Tea, 668-671; Tobacco Trade, 677, 678. From the Legislative Council, 668-671.
Adjala Township, part of County of Simcoe, 465.
Adjutant General of Militia, Accounts, Salary, etc., 80, 82, 83, 85, 90, 172, 175, 187, 375, 376.
General of Militia, Assistant, 172, 376, 582, 590, 602, 603, 606, 629, 688.
General's Bill, 179, 182, 195, 376, 391, 392, 393, 411, 430.
General's Contingencies, 80, 82, 175, 187, 376.
General's Office Expenses, 376.
Administration of Justice, 3, 12, 27, 29, 54, 60, 97, 109, 168, 185, 188, 192, 233, 236, 277, 283, 298, 303, 311, 364, 375, 385, 399, 404, 405, 419, 431, 460, 477, 568, 608, 634, 646, 687.
Adolphus Township, 143.
Adolphustown, 62, 124, 216.
Adolphustown Township, part of County of Lennox, 465.
Agreement, Provisional, *re* Quebec, 112.
Agricultural Interests, 3, 27.
Agricultural Products, 38, 79.
Agriculture and Trade, depression of, 3, 5.
Alba Township, Part of Simcoe County, 465.
Albany River, 589.
Albion Township, Part of York County, 465.
Aldborough Township, Petition of Inhabitants, 34, 461.
Ale and Beer, restraining sale of, 349, 352, 360.
Ale House Bill, 349, 352, 360.
Ale Houses, License for, 277, 278, 291, 300, 301, 312, 313, 352, 360, 429.
Alien, 37, 313, 314, 418.
Alien Act, Land sold under, 451.
Allan, Jonathan, 478, 531.
Allan, Justice, 749.
Allan, William, 543, 752, 775.
Allan, William, Esquire, Collector at York, 732, 733, 751.
Allan, William, Dep. Postmaster, York, 57, 59, 60.
Allan, William, Postmaster at York, 693, 694, 716, 717.
Allan, Tesse, 136.
Allcock, Hon. Chief Justice Henry, 765.
Allison, A., 768.
Amaranth Township, part of County of Simcoe, 465.
Ameliasburgh Township, 141.
Division Bill, 349, 352, 354, 367, 429.
Petition of Inhabitants, 269, 547, 554, 600.
American Loyalists, 97, 98.
Settlers in Upper Canada, 86, 117, 121, 138.
Vessel seized at Kingston, 667.
Vessels *re* transportation of troops and stores in, 664, 667.
Vessels *re* Trade, 226, 227, 267.
Vessels, Fee for opinion *re* right to navigate when fitted as British bottoms, 710.
War, 39.
Amherst Isle, 140.

Amherst Island, part of the County of Addington, 465.
Amherstburgh, 61, 62 (letter rates from York, etc.).
Fee for Report on Claim, 707.
Police for Town of, 177.
Post of, 664, 667.
Ancaster Tp., 71, 75, 317, 418, 537.
Ancaster Tp., Lands Forfeited, 222.
Anderson, Andrew, 35.
Anderson, Charles, 750, 775.
Anderson, Henry, 745.
Anderson, John, 715.
Anderson, Joseph, Esq., Collector, Cornwall, 732, 761.
Anderson, Joseph, Esq., Collector, Kingston, 732, 761.
Andrews, T., 222.
Annual Expenditure reduced, 3.
Annual Grant of British Parliament, 595, 639.
Annual Register, 665, 672.
Appleton, Thomas, 575, 582, 583.
Appropriation, Schedule of, 80.
Arbitrator, fee for drawing Commission under Great Seal, appointing, 708.
Of Province, 350, 351, 354, 417.
Of Lower Canada, 488, See Hale.
Remuneration of, 609. Compensation, 621, 628, 630, 631, 646, 687.
Arbitrators, Provincial, 230, 231, 232, 233, 246, 247, 250, 267.
Decision *re* claims of the two Provinces, 203, 205, 208.
Report *re* Trade between Upper and Lower Canada, 484-528, 542, 544, 582.
Armour, Mr., 329.
Arnold, 706, 709, 711.
Arnold, John, 713.
Arrearages, Lower Canada, 42, 43, 45.
Militia Pension List, 3.
Officials, 53, 69, 70, 75, 81.
Arson, The King vs. Knox, 703, 718.
Artemesia Township, part of County of Simcoe, 465.
Artillery, 355.
Arts, Secretary of Royal Society of, *re* Hemp, 483.
Asher, William, 706.
Ashes, Pot and Pearl, *re* boiler for, 348, 386, 396, 398, 431.
Askin, William, Esq., Collector, Sandwich, 761.
Asphodel Township, part of County of Otonabee, 465.
Asphodel Township, Petition of Inhabitants, 556, 563, 573, 580.
Assault. The King vs. John Arnold, 713.
The King vs. John Casswell, 704, 722.
The King vs. Isaac Dean, 716.
The King vs. John Franklin, 724.
The King vs. Edward Garty, 705, 722.
The King vs. John Heynes, 720.
The King vs. John Hynes, 704.
The King vs. William Lard, 705, 724.
The King vs. David McBride, 712.
The King vs. William Miller, 716.
Assembly, Accommodation in, 6, 158, 187, 209, 210.
Clerk of (A. McDonell), 754.
Clerk of (Grant Powell), 164, 187, 191, 193, 179, 277, 424, 426, 544, 548, 684, 685, 690.
Commons, House of, 2.
Members of, Bill *re* Resignation, 556.
Qualification of persons eligible for election to, 64, 161, 167, 195, 478, 479, 545, 547, 549, 576, 686.
Representation of Counties in Provincial, 465, 663.
Room, alterations and repairs, 209.
Wages of Members, 347, 622, 629.
Assessment Amendment Bill, 183, 185.
Act, 273, 347, 565, 585, 586, 593, 597, 598, 599, 688.
And Population Returns, 550.
For Highways, 552.
Petition *re* Dist. of Johnstown, 453.
Petition *re* Dist. of London, 460.
Rates, 158, 160, 165, 182, 183, 205.
Town of York, 178.
Assessors, Duties, 533, 545.
Assignees, Heirs and Devisees, 71, 74, 81, 82, 283, 297, 304, 313, 324, 325, 343, 347, 371, 390, 429.
Assize, Court of, 34.
And Gaol delivery, Address *re* withholding commission, 460, 477.
And Nissi Prius, Court of, 298, 303, 339, 340, 343.
Clerk's fees, 165, 717.
Clerk's travelling expenses, 404.
Atkin, John, 749.
Atkin and R. Pattinson, 746.
Atkinson, James, 336.
Attorney-General, 32, 36, 37, 38, 39, 40, 44, 48, 49, 50, 55, 56, 63, 66, 72, 74, 115, 117, 125, 146, 148, 151, 152, 153, 154, 155, 156, 157, 159, 160, 162, 163, 164, 166, 167, 168, 169, 171, 175, 176, 179, 180, 181, 182, 183, 184, 188, 190, 299, 309, 325, 362, 419, 437, 440, 450, 451, 452, 453, 455, 456, 457, 458, 461, 463, 468, 471, 472, 473, 474, 477, 479, 480, 481, 482, 529, 532, 533, 536, 537, 538, 540, 541, 542, 544, 545, 546, 547, 552, 553, 554, 556, 560, 563, 564, 565, 572, 573, 574, 575, 577, 578, 579, 581, 585, 588, 593, 594, 597, 598, 599, 600, 601, 603, 610, 613, 616, 618, 619, 620, 621, 622, 623, 624, 625, 627, 629, 632, 633, 634, 635, 636, 637, 638, 640, 642, 644, 645, 646, 647, 650, 651, 652, 665, 666, 682.
Accounts, 404.
Salary in lieu of fees, 117, 149, 154.
Attorney-at-Law, Petition to be allowed to practice, 275, 288.
Attorneys, Bill *re* District, 364, 386, 388, 392, 393, 420.
Auction, Duties on sales at, 79, 81.
Auction, Duties Bill, 305, 317, 319.

Auctioneers, License to, 9, 10, 79, 81, 269, 270, 305, 319, 340, 429, 454.
Augusta Township, Lands Forfeited, 221.
Augusta Township, Patent to Thomas Barton, 100 acres, 695.
Auldjo, A., J.P., 772.
Auldjo and Co., 744, 745,, Auldjo, Maitland and Co., 738, 739, 740, 742, 743, 745, 746, 771, 776, 778, 779.
Aylesworth, Bowen, 30, 31.
Azlabie, Michael, 751.

B.

Baby, Mr., 66, 68, 70, 74, 83, 124, 148, 152, 153, 161, 168, 174, 176, 180, 182, 183, 186, 273, 284, 290, 291, 297, 299, 306, 307, 308, 310, 311, 312, 314, 318, 321, 322, 323, 324, 325, 328, 341, 342, 344, 347, 348, 352, 355, 356, 357, 358, 359, 363, 364, 366, 368, 370, 371, 372, 373, 374, 381, 382, 383, 384, 385, 388, 450, 452, 455, 460, 463, 471, 531, 535, 538, 545, 554, 555, 557, 560, 562, 563, 573, 574, 577, 581, 583, 588, 594, 597, 598, 600, 601, 602, 603, 604, 606, 608, 609, 610, 613, 619, 621, 622, 624, 629, 632, 633, 635, 638, 646, 650, 672, 680.
Baby, J., 10, 745, 778.
Baby, J., Arbitrator for Upper Canada, 485, 486, 488, 490, 491, 492, 493, 495, 499, 504, 505, 506, 507, 508, 509, 510, 512, 513, 517, 518, 519, 523, 524, 526, 527, 528.
Baby, Hon. James, 519, 527, 592.
Baby, Fees, on Commission appointing as Arbitrator, 697, 698, 708, 725.
Baby, Inspector General of Public Accounts, 693, 694, 698, 699, 701, 703, 714, 717, 727, 761.
Baily, Levy, 738.
Baker, Ezra, 126, 129.
Baker, George, 721.
Balcom, Isaac C., 719, 720.
Baldwin, Dr., 32, 35, 36, 38, 39, 40, 41, 49, 55, 56, 63, 64, 65, 67, 68, 70, 73, 76, 77, 83, 86, 89, 91, 116, 125, 146, 152, 153, 154, 162, 163, 165, 166, 167, 168, 170, 172, 175, 182, 191, 194, 206, 211, 215, 278, 280, 289, 291, 292, 293, 302, 307, 311, 313, 314, 317, 319, 323, 325, 342, 346, 348, 350, 353, 356, 358, 361, 364, 366, 367, 372, 377, 399, 403, 410, 411, 419, 422, 423, 465, 539, 576, 583, 600, 611, 617, 630, 633, 646, 647, 665, 666.
Baldwin, Mr., 4, 6, 26, 28, 29, 37, 42, 43, 44, 46, 49, 50, 52, 54, 68, 72, 74, 87, 115, 118, 124, 146, 148, 152, 153, 154, 167, 168, 170, 175, 176, 178, 180, 182, 183, 184, 186, 189, 206, 209, 211, 218, 225, 268, 269, 272, 281, 283, 284, 286, 287, 288, 290, 291, 295, 297, 299, 306, 307, 310, 311, 312, 314, 321, 322, 323, 324, 328, 342, 344, 348, 352, 354, 355, 356, 358, 359, 363, 368, 370, 371, 372, 373, 375, 376, 378, 382, 383, 384, 385, 386, 387, 388, 391, 392, 393, 398, 400, 401, 403, 405, 410, 411, 417, 418, 425, 426, 450, 451, 453, 454, 455, 457, 458, 463, 466, 468, 470, 471, 477, 478, 479, 482, 528, 529, 530, 531, 534, 535, 536, 538, 539, 540, 541, 545, 546, 547, 552, 554, 555, 556, 557, 558, 559, 560, 562, 563, 564, 565, 566, 573, 574, 575, 577, 580, 583, 584, 586, 587, 588, 589, 591, 593, 599, 600, 602, 604, 605, 606, 607, 608, 610, 611, 613, 616, 617, 620, 621, 622, 623, 627, 631, 633, 635, 636, 637, 638, 644, 646, 647, 648, 649, 650, 665.
Baldwin, W. W., 63, 73, 210, 371, 387, 600.
Balfour, John, 330.
Bank Amendment Bill, York, 151.
Canada, 329, 332, 334, 336, 337.
Commissioners' Report, 452, 459, 467, 468, 471, 539.
Funds, Message *re*, 317, 326.
Kingston, Bill, 153, 159, 160, 161, 593, 604, 606, 615, 616.
Kingston, charge for printing matter, *re*, 726.
Kingston, Commissioners' Bill, 339, 344, 351, 363, 364, 366, 382, 383, 413, 430, 466, 537, 539, 564, 688.
Kingston, Petition for Incorporation of, 73, 90, 91.
Kingston (Pretended of Upper Canada), 452, 459, 464, 466, 467, 468, 537, 603, 615, 616, 632, 633, 634, 688.
Provincial, 117, 151, 204, 206, 209.
Quebec, 336, 337.
Upper Canada, of, 151, 157, 195, 308, 313, 316, 317, 325, 326, 335, 340, 344, 349, 351, 354, 357, 429, 452, 543, 544.
Banking, 269, 272, 282.
Banking Association, Petition, 605, 606.
Institutions, Report of Committee to take into consideration, 328-339.
Bill to regulate, 575, 585, 590, 603, 632, 633, 634, 646, 647, 648, 673, 681, 682.
Barbere River, 142.
Barbo, Thomas, 735.
Bargan and Sale, 31.
Bargar, Carew, 744.
Barkle, Henry, 736.
Barnam, Martha, Petition of, 118.
Barnhart, George, 758, 770, 771, 775.
Barnhart's Island, *re* Boundary, 472, 476, 614, 615, 647-676.
Barrack Departments, 491.
Barracks, Houses used as, 627.
Barrister, Petition of John Boswell to be allowed to practice as, 275, 288.
Barron, James, 775.
Barth, 749.
Bartlet, Mr., 329, 330, 331, 332, 333, 334, 338.
Bartlet, Smith, 328, 334, 335.
Barton, Stephen, 749.
Barton, Thomas, 735.
Barton Township, Dist. of Gore, 363, *re* Salt Works, 366.
Bastard Children, Act *re* Murthering of, 531, 532, 548, 551, 552, 557, 558.
Bastard Township, 62.
Lands Forfeited, 221.
Bastow, Stephen, 775.
Bates, George, Petition, 304, 306, 316, 341.

Relief Bill, 352, 360, 379, 416, 417, 419, 429.
Bath, Village of, 7.
Bath, 62.
Bathurst Appropriation Bill, 327, 342.
Bathurst District. Courts, Establishment of, 205, 211, 213, 215, 217, 272, 279, 326, 375, 379, 382, 394, 431.
Fee *re* Correspondence as to depredations on Crown Lands, 710.
Fee *re* Registration of Commission of Peace, etc., 696, 708, 711.
Re Division of County of Carleton, 464, 470, 663, 664, 686.
Re Machinery for dressing hemp, for use of inhabitants, 482, 483.
Schools, Establishment of, 278, 279, 280, 281, 287, 289, 290, 302, 303, 305, 428.
Sheriff, appointment of, 272, 278, 280, 281, 287, 289, 290, 305, 428.
Bathurst, Earl, 34, 96, 243, 244, 245, 252, 258, 260, 345, 624, 683.
Bathurst, Earl, Secretary of State for the Colonies, 219, 659.
Bathurst Township, part of County of Lanark, 464.
Bathurst Township, petition of sundry Inhabitants, 481.
Batteaux, Commissareat, 492.
Batteaux, the King's, 487.
Battie, Mr. (Pattie?), 207.
Baupre, F., 738, 768.
Baxter, Esa, 786.
Bay of Quinte, 141, *re* Canal, 478, 538.
Ferry across, 587.
Bayham Township, 27, 34.
Bill for annexing to some of the Counties, 451.
Incorporation of, 447, 451.
Petition of Inhabitants, 461.
Beaman, Elisha, 738, 768.
Bean, Phineas, 753.
Beasley, Joseph, 774.
Beckwith Township, part of County of Lanark, 464.
Beebee, Aaron, 629.
Beebee, Adin, 473.
Beer, Ale and, restraining sale of, 349, 352, 360, 429.
Bell, Duncan, 125, 144.
Bell, John, 30, 31.
Belmont Township, part of County of Otonabee, 465.
Belleville, Fee for opinion *re* Collector for Port of, 710.
Petition, A. O. Petrie *re* Ferry, 582, 587.
Petition of Inhabitants, 207.
Petition *re* Gaol and Court House, 554.
Police for Town, 213, 305, 318, 321.
Postage rates to York, 61.
Postal Town, 62.
Beman, Elisha, 752.
Benedict, Calib, 774.
Bener, T., 734.
Bennet, John, Printer, 755, 763, 765, 766.
Beresky, Henry, 774.
Bergin, William, 547, 554, 620, 621.
Berkshire, County of, 7, 8, 37, 126, 127, 128, 129, 131, 132, 133, 135, 164.
Berthelot, H., 749.
Beverley Township, part of County of Halton, 465.
Bidwell, Barnabas, Mr., 7, 8, 9, 31, 32, 37, 38, 40, 43, 44, 46, 48, 49, 50, 52, 53, 55, 56, 64, 66, 67, 69, 70, 71, 72, 74, 77, 78, 82, 87, 91, 115, 116, 117, 118, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 144, 145, 146, 148, 149, 152, 153, 223.
Bidwell, Marshall Spring, 216, 217, 306, 313, 314, 441, 442, 443, 444.
Bidwell, Sidney, 136.
Bie, J., 745.
Biffit, Daniel, 764.
Bill of Petition, Introduction of, 4, 6.
Billiard Tables, Duty on, 541, 575. Bill *re*, 583, 590, 591.
Billings, William, 136.
Bills, Elijah, 711.
Bills of Exchange Act, 224, 225.
Bills of Exchange, *re* Protested, 205.
Bills, Printing of, 276.
Birdsell, J., 737.
Biron, Joseph, 739, 742.
Birron, J., 767.
Black Rod (William Lee, Esq., Gentleman Usher of the), 2, 54, 122, 157, 161, 170, 171, 172, 187, 191, 193, 194, 203, 271, 282, 285, 367, 403, 407, 412, 424, 426, 428, 471, 531, 540, 554, 575, 593, 599, 603, 615, 621, 623, 625, 629, 662, 680, 684, 685.
Blackman, Paul, 136.
Blackstock, Ambrose, Esq., 319, 323.
Blackstone, Sir William, 216.
Blackwood, J., Jun., and Co., 777, 778.
Blanchard, John, 221.
Blanchard, Sala, 221.
Blenheim Township, fee for Patent on 200 acres, 695.
Board of Education, Reports, 361, 363, 369.
Board of Trade, 263, 264.
Board of Trustees of Districts, School Reports, 361, 363, 369.
Bolton, August, 775.
Bonhomme, P., 734, 738.
Book, George, 715.
Book, Jacob, 715.
Boston, 130.
Bostwick, Mr., 27, 28, 29, 31, 32, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 50, 52, 55, 56, 60, 66, 71, 72, 73, 74, 75, 77, 85, 87, 96, 115, 116, 117, 119, 124, 125, 144, 145, 146, 148, 150, 152, 153, 154, 155, 157, 159, 162, 166, 167, 168, 170, 171, 173, 174, 176, 180, 182, 183, 184, 185, 186, 189, 190, 193, 218, 225, 268, 269, 270, 271, 273, 279, 280, 281, 290, 291, 292, 295, 299, 304, 306, 307, 309, 310, 311, 312, 315, 318, 321, 322, 323, 324, 326, 327, 328, 342, 344, 347, 348, 350, 352, 355, 356, 358, 359, 363, 364, 367, 368, 369, 370, 373, 374, 375, 376, 377, 378, 382, 383, 384, 385, 386, 387, 388, 391, 393, 394, 398, 400, 401, 402, 403, 404, 405, 406, 409, 410, 411, 416, 438, 439, 440, 446, 450, 452, 455, 456,

461, 462, 463, 466, 467, 468, 471, 477, 478, 479, 529, 530, 531, 532, 536, 538, 540, 541, 542, 545, 547, 552, 553, 554, 555, 556, 557, 558, 559, 560, 562, 563, 565, 573, 574, 575, 577, 578, 579, 580, 581, 583, 584, 585, 588, 589, 593, 597, 598, 599, 601, 602, 604, 605, 606, 608, 609, 610, 611, 613, 617, 619, 620, 622, 624, 628, 629, 631, 632, 633, 635, 637, 638, 644, 646, 647, 648, 649, 650, 665, 672, 674, 679, 680.
Bostwick, John, 669.
Boswell, John, Esq., Petition, 270, 275, 278.
Relief Bill, 279, 280, 281, 282, 291, 292, 428.
Boudrie, Pierre, 751.
Bougener, Christopher, 751.
Boulton Mr. (Master in Chancery), 54, 63, 75, 82, 87, 118, 121, 122, 124, 149, 152, 157, 161, 162, 165, 166, 168, 169, 170, 171, 173, 179, 180, 185, 186, 188, 189, 193, 271, 285, 288, 302, 305, 306, 310, 312, 314, 322, 340, 355, 360, 367, 371, 375, 379, 382, 384, 396, 401, 403, 411, 413, 416, 418, 420, 471, 480, 529, 531, 534, 536, 540, 546, 554, 557, 575, 588, 593, 594, 601, 603, 615, 616, 621, 623, 625, 629, 532, 540, 646, 650, 662, 668, 673, 680, 681, 682.
Boulton, George S., 164.
Boulton, George Strange, *re* prosecution for costs of Election trial, 194.
Boulton, H. J., Solicitor General, 201, 203, 699, 700, 703.
Boulton, James, Clerk of Assize, 717.
Boundary Lines of Townships, 28, 29, 81, 347, 348, 358, 429.
Lines Act to ascertain and establish, 455, 460, 537, 541, 542; of Counties, 139, 140, 141.
Provincial and between the United States, 269, 272, 274, 275, 276, 280, 458, 472, 473, 474, 476, 480, 523, 537, 564, 589, 602, 614, 615, 623, 624, 666, 667, 676, 683.
U. S. Boundary at Barnhart's Island, Commissioners' Report *re*, 475, 476.. Address *re*, 674-676.
U. S. Boundary in St. Lawrence River, 269, 272, 276.
Bounty, Salt Manufacture Inspection Bill, 290, 294, 304, 308.
Bouthillier, J., J.P., 781.
Bowen, A., 736.
Bowen, Henry, 752, 774.
Bowen, Uriah, 775.
Bowman, Isaac, 737.
Boyd, John, 750, 774.
Boyd, Samuel, 751, 773.
Bradford, Alden, 134, 137, 138.
Braley, William, 752.
Branches of Legislature, Co-operating with, 6.
Branconier, P., 736.
Brayley, William, 774.
Bread Stuffs, 584, 604, 677.
Breckenridge, James, 776.
Brenton, Mr., Secretary, 16, 17.
Breton, Captain Le, fee for Report on Memorial, 710.
Breton, Samuel, 718.
Brewster and Baldwin, 136.
Bridge, Bill, 552, 574, 609.
Bridges, 85, 119, 123, 148, 150, 294, 328, 344, 356, 359, 367, 368, 372, 384, 550, 551, 563, 575, 580, 640, 687.
Bringham, Moses, 718.
Britain, Great, 49, 109.
British and Colonial Corps, 97.
Colonies, Trade in, 445.
Merchants in Great Britain, West Indies, Newfoundland and Nova Scotia, 109, 110.
Packets Agency, New York, 694.
Parliament, 112.
Parliament, Annual Grant of, 595.
Statutes, Revenue collected under, 204, 206, 209.
Vessels, *re* Trade in, 226, 227.
Brock, Mr., 92.
Brock, Sir Isaac, Monument to, Report of Commission, etc., 91-96, 144, 145, 146, 147, 651, 655.
Brock, John Savary, 94.
Brock Township, part of County of York, 465.
Brock, William, 94, 95.
Brockville, 62, 311, 327. Crown office Accounts, 700.
Gaol, Petition of Debtors, 464.
Jail, Fee for writ in case of Elijah Bills, confined in, 711.
Petition *re* books for Sunday School Library, 302.
Brockway, Joseph, 221.
Brooks, John, Esq., Governor, 134, 137.
Brown, Aaron, 775.
Brown, Isaac, 752.
Brown, John, 718.
Brown, John, Fiat of Pardon, 707.
Brown, Joseph, 749, 750, 774.
Brown, S. L., 718.
Brown, Thomas, 753, 767.
Brown, William, 453.
Brownell, J., 735, 745.
Brownell, Joseph, 758, 778.
Browning, Tristam, 136.
Brownson and Bradshaw, 751.
Bruce, Margaret, 758, 775.
Bryan, W., 737.
Buildings for Legislature, 4.
Burch, John, 758.
Burchill, Wm., 704, 721.
Burdick, Enoch, 751.
Burdick, Samuel, 773.
Burford, (Letter rates from York, etc.), 61. 62.
Burk, George T., 469, 481.
Burleigh Township, part of County of Otonabee, 465.
Burley, C., 724.
Burlington Bay, 386.
Canal, 289, 409, 412, 413, 415, 416, 418, 430, 461, 564, 593, 613, 617, 629.
Fishery at Outlet, 312, 359, 375, 430.
(Lake Geneva), 1[illegible].
Burnham, Mr., 278

Burns, David, Esq., 754, 763.
Burton and McCulloch, 742, 771.
Burwell, Mr., 9, 26, 27, 28, 29, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 52, 54, 55, 56, 63, 66, 67, 69, 70, 73, 74, 75, 86, 115, 117, 124, 125, 146, 147, 148, 150, 151, 152, 153, 154, 157, 164, 167, 168, 171, 172, 173, 174, 176, 180, 181, 182, 183, 184, 185, 186, 189, 190, 192, 193, 218, 225, 268, 269, 270, 271, 273, 275, 277, 281, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 295, 299, 302, 304, 305, 306, 307, 309, 310, 311, 312, 314, 316, 318, 319, 322, 323, 324, 325, 328, 340, 341, 342, 344, 347, 348, 349, 351, 352, 354, 355, 356, 358, 359, 361, 362, 363, 364, 365, 368, 369, 370, 371, 373, 374, 375, 376, 378, 380, 381, 382, 383, 384, 385, 386, 387, 389, 390, 391, 392, 393, 394, 396, 398, 400, 401, 405, 409, 410, 411, 412, 415, 416, 417, 419, 420, 422, 425, 426, 427, 428, 439, 444, 446, 447, 449, 450, 453, 455, 456, 457, 458, 460, 461, 463, 466, 468, 470, 471, 473, 474, 475, 477, 478, 479, 480, 481, 535, 536, 537, 538, 539, 540, 541, 542, 544, 545, 547, 551, 552, 553, 554, 555, 556, 557, 560, 562, 563, 565, 573, 574, 575, 577, 578, 579, 581, 583, 584, 585, 586, 590, 591, 593, 596, 597, 598, 599, 600, 602, 604, 605, 606, 608, 609, 610, 613, 617, 619, 620, 621, 622, 623, 624, 627, 629, 631, 632, 633, 634, 635, 637, 638, 646, 647, 648, 650, 651, 661, 662, 665, 666, 668, 671, 680.
Burwell, M., 112.
Butterworth, I., 722.

C.

Cachois Isle, 140.
Caldee, J., 735.
Calders, J., 746.
Caldwell, Henry, Receiver General of Lower Canada, 733, 757.
Caldwell, James, 771.
Caldwell, Mr., 244, 249, 251.
Caledon Township, part of County of York, 465.
Callendar, John, 134, 136, 137.
Camden Township, part of County of Addington, 465.
Cameron, A., 738.
Cameron, Allan, 769.
Cameron and Cozens, 752, 775.
Cameron, D., 1, 2, 28, 30, 115, 139, 144, 201, 203, 224, 437, 767.
Cameron, D., Secretary, 448, 454.
Cameron, Donald, 768.
Cameron, Duncan, 592, 752.
Cameron, Duncan, Register of Province of Upper Canada, 695.
Cameron, Hugh, 755, 764.
Cameron, J., 746.
Cameron, John, 742, 769, 771, 773, 775, 779.
Cameron, W., 737.
Cameron, William, 746, 767, 768.
Campbell, A., 746, 767, 768.
Campbell, Allan, 775.
Campbell, Archibald, 307.
Campbell, D., 735, 737.
Campbell, Daniel, 757, 771, 775.
Campbell, James E., 753, 758, 777.
Campbell, John, 718.
Campbell, John and Co., 779.
Campbell, John Hook, 737.
Campbell, William, 543.
Campbell, William A., Clerk of Assize, Home Dist., 711.
Canada Bank, 329, 332, 334, 336, 337.
Canada, Name of, 142.
Canada Trade Act, 208, 211, 212, 222, 226-237, 272, 438, 445, 458, 483-528, 544, 582, 658.
Canadian Annual Register, 665.
Canadian French, 97.
Canal, Bay of Quinte, 478, 538.
Burlington Bay, 289, 409, 413, 415, 416, 418, 430, 461, 564, 593, 613, 617, 629.
Between Lake Champlain and the Hudson River, 516.
Between Lake Erie and the Hudson River, 516.
Lachine, 514.
Re Incorporation of Niagara District Company, 453.
Petition against Niagara District Company, 457.
Proposed near Cedars, 525.
Proposed near Johnstown, 514.
Welland, 531, 535, 540, 541, 544, 545, 546, 547, 576, 579, 686.
Commissioner's Report, 363, 364, 369, 374. Board of, 386, 619, 624, 627, 628, 639.
Canal Bill, 412.
Capital felony, 39.
Caradoc Township, 34, 461.
Carey, John, 401. Carey, John, Printer, 425, 727.
Carfrae, Hugh, Door-keeper, 425.
Carleton County, 469.
Re Division of, 464, 465, 480, 481, 663, 664, 686.
Re establishing a Market in Perth, 54, 64, 67, 68, 69, 118, 194.
Fee for Proclamation as Separate District, 696, 707.
Member for, 86, 663.
Petition of Inhabitants, 48, 53.
Townships composing, 464.
Carley, E., 742.
Carpenter, Henry, 115.
Carroll, James, Petition of, 125, 147, 163, 459, 464, 559. Relief Bill, 165, 179, 582, 629, 689.
Cartwright, Ford and, Carpenters, York, 209, 210.
Cartwright, Richard, Esq., 751, 753, 773.
Cartwright, T. R., Fee for Deed of Surrender, 708.
Carrying Place, Mohawk Village, 141.
Point au Pins to the Thames, 142.
Presqu'ile, 141.
Cascades, Locks at, 517, 526.
Casey, Mr., 7, 28, 32, 37, 38, 39, 40, 42, 43, 44, 46, 47, 48, 49, 50, 52, 55, 56, 64, 65,

66, 67, 70, 72, 74, 77, 78, 87, 91, 115, 117, 118, 119, 122, 123, 124, 125, 145, 148, 149, 151, 152, 153, 154, 155, 157, 159, 166, 168, 171, 174, 175, 176, 180, 182, 183, 186, 211, 213, 218, 225, 269, 273, 275, 278, 279, 290, 291, 295, 296, 299, 301, 302, 303, 306, 307, 310, 311, 312, 314, 315, 319, 320, 322, 323, 324, 327, 328, 339, 342, 348, 352, 355, 356, 358, 359, 363, 364, 366, 367, 368, 369, 370, 371, 372, 373, 375, 376, 378, 382, 383, 384, 385, 386, 387, 388, 390, 391, 392, 393, 398, 399, 400, 403, 410, 412, 413, 415, 416, 420, 422, 425, 426, 437, 439, 444, 446, 449, 450, 451, 452, 455, 456, 458, 460, 463, 464, 468, 469, 470, 471, 472, 473, 475, 477, 478, 479, 480, 481, 530, 531, 534, 535, 536, 537, 538, 539, 540, 541, 542, 545, 547, 548, 552, 553, 554, 555, 557, 558, 559, 560, 561, 562, 563, 565, 572, 573, 574, 577, 578, 579, 581, 583, 584, 585, 586, 588, 589, 591, 592, 593, 594, 597, 598, 599, 600, 601, 602, 604, 605, 606, 608, 610, 611, 613, 617, 619, 620, 621, 622, 624, 626, 629, 637, 638, 641, 647, 648, 665.

Casey, Samuel (M.P.P.), 145.

Casey, Willett, 751.

Cassaday, Henry, 722, 724.

Castley, Patrick, 718.

Caswell, John, 704, 722.

Catharette, J., 737, 738.

Cattle, Horned, Regulations *re* running at large, 87, 89, 122, 123, 194.

Cedars *re* Navigation, 524, 525, 526.

Census of Population, 532, 533, 534, 545, 558, 581, 583, 594.

Chalus, Count de, 751, 752, 773, 775.

Chambers, Assembly, Accommodation in, 6.

Champion E., 718.

Champion, Elias, 221.

Champlain, Canal between Lake and Hudson River, 516.

Chancery, Clerk of Crown in, 29, 30, 218, 448, 534.

Chancery, Master in. See Master in Chancery.

Chaplain of the House, 83, 87, 384, 394, 398.

Chaplain's Pension Bill, 394, 398, 411, 430.

Chapman, Timothy, 136.

Chapmen, Petty, License to, 78, 269, 270, 319, 320, 429.

Charitable and Religious Purpose Bill, 630, 636, 637.

Charlottenburgh Township, 143.

Charlotteville, Crown Lands Office Accounts, 700.

Charlotteville Township, 34, 118.

Chateaguay Fund, 523, 526.

Harbour, 520, 521.

Rates on Rafts and Scows Passing, 408, 414, 514, 518.

Chewett, James G., Assistant Draftsman, 701, 702.

Chief Justice, Retiring Allowance, 33.

Chingacousy Township, part of Township of York, 465.

Petition of Inhabitants, 323.

Petition *re* Mill Dam, 348, 372.

Chippawa Creek Bridge, 142, 148, 459.

Chippawa, Forks of, 142.

Chisholm, Mr., 29, 36, 37, 38, 44, 46, 48, 49, 50, 52, 55, 56, 66, 68, 69, 70, 71, 73, 74, 77, 87, 90, 118, 119, 124, 125, 145, 146, 148, 149, 152, 153, 163, 166, 167, 168, 174, 176, 180, 182, 183, 189, 190, 193, 206, 207, 211, 212, 213, 218, 225, 268, 269, 273, 281, 295, 299, 304, 306, 307, 310, 311, 312, 313, 314, 315, 316, 320, 322, 323, 324, 328, 340, 341, 342, 343, 344, 347, 348, 349, 352, 354, 356, 357, 358, 359, 361, 363, 366, 369, 370, 371, 373, 375, 376, 377, 378, 382, 383, 384, 385, 386, 387, 388, 400, 401, 405, 409, 410, 411, 413, 415, 419, 422, 425, 427, 539, 540, 541, 542, 545, 547, 555, 556, 557, 560, 562, 563, 564, 565, 591, 592, 593, 595, 598, 599, 600, 606, 608, 610, 611, 613, 617, 619, 621, 622, 624, 626, 628, 629, 635, 637, 638, 644, 647, 648, 649, 650, 651, 662, 664, 665, 668, 679, 685.

Chisholm, Duncan, 768.

Chisholm, John, 757, 769.

Chronicle, Kingston, *re* Libel, 193, 219, 268.

Church, John, 7.

Church, Lutheran, Markham, 474; Minister of, 466, 474.

Church, Methodist Episcopal, 46, 47, 451, 455, 536, 537.

Church Lands Surrender Bill, 389, 392.

Church of Scotland, 529, 547, 561, 587, 592, 593, 596, 606, 607, 611, 619, 623.

Church Wardens, *re* Appointment of, 83, 90.

Church Wardens, St. George's Church, Kingston, Petition of Rector, 304, 306, 365. Bill *re* same, 392, 430.

Cideman, J., 734.

Circuits, 311, 327, 339, 343.

Circuits, *re* Second, 557, 578, 604, 636, 645, 647, 649, 666.

Civil Administration, 42, 52, 80.

Establishment, 254, 595, 639.

Civil Government, 11, 60, 64, 108, 185, 188, 198, 196, 233, 236, 251, 454, 530.

List, 42, 43, 52, 254, 256, 610, 623, 624, 625, 626.

Right, Act *re* English Law as the Rule of decision, 451.

Service, 189, 656.

Claflin, Robert, 136.

Claims Against Lower Canada, 10, 108, 110.

Fee for Report on, James Fisher, Amherstburg, 707.

Sufferers from War with U. S. (1812), 292, 299, 300, 301, 307, 385, 401, 411, 415, 430, 459, 472, 476, 480, 641, 676.

Claims, Commission to Investigate, Fee for drawing Commissions *re* War losses, 710, 725.

Claims, Commissioner of, Hon. Joseph Wells, Fees on Commissions appointing, 698, 699.

Clapp, Gilbert D., L.S., 224.
Clark, 705.
Clark, Mr., 6, 36, 37, 38, 39, 40, 42, 43, 46, 48, 49, 50, 52, 55, 56, 66, 72, 73, 87, 115, 117, 124, 125, 144, 146, 147, 148, 152, 153, 157, 165, 166, 167, 168, 174, 175, 176, 180, 182, 183, 189, 190, 193, 211, 218, 222, 303, 315, 318, 319, 320, 322, 323, 324, 328, 340, 341, 342, 343, 344, 348, 352, 354, 355, 356, 358, 359, 363, 366, 367, 368, 369, 370, 371, 373, 374, 375, 376, 377, 378, 382, 383, 384, 385, 386, 387, 388, 391, 392, 393, 394, 398, 399, 401, 402, 408, 410, 411, 415, 416, 417, 418, 422, 425, 439, 450, 452, 455, 456, 460, 461, 463, 466, 467, 468, 470, 471, 472, 475, 477, 478, 479, 531, 537, 538, 540, 541, 545, 547, 553, 554, 555, 556, 557, 559, 560, 562, 563, 565, 572, 573, 574, 575, 577, 578, 579, 581, 583, 584, 585, 586, 588, 590, 591, 592, 593, 595, 596, 597, 598, 600, 601, 602, 604, 605, 606, 608, 610, 611, 613, 617, 618, 619, 620, 621, 622, 623, 624, 626, 627, 629, 632, 635, 636, 637, 638, 644, 645, 647, 648, 649, 650, 651, 665, 668, 672, 685.
Clark, Mr. (Lenox and Addington), 222, 225, 268, 269, 273, 281, 283, 288, 290, 291, 295, 296, 299, 304, 306, 307, 308, 310, 311, 312.
Clark Mr. (Lincoln), 225, 268, 269, 273, 275, 278, 279, 280, 283, 285, 296, 299, 302, 303, 305, 306, 307, 310, 311, 312, 314.
Clark, Hon. F. (T), 10, 13, 16, 17, 22, 24, 25.
Clark, James, 769.
Clark, James, Jun., 754, 755, 763.
Clark, John, 157, 303, 402, 721, 724.
Clark, J. W., 16, 17, 739.
Clark, Matthew, Esq., 216, 217, 303, 402, 447.
Clark, Thomas, 92, 592.
Clark, Thomas, Lt.-Col., 93, 94.
Clark, Hon. Thomas, 105, 106, 113, 115.
Claus, W., 113, 115.
Clement, John P. (Petition), 204, 206, 210, 287, 294, 316, 351.
Clement, John Putman (Petition), 447, 451, 473.
Clement Relief Bill, 351, 357, 367, 368, 372, 379, 383, 416, 417, 482, 529, 530, 536, 686.
Clergy, Claims, 560, 587.
  Lands, 236, 529, 547.
  Protestant, support of, 236, 389.
Clerk of Assize, Fees, etc., 169, 717.
  To Commissioners, J. B. Macaulay, *re* Forfeited Lands, 222.
  Of the Court in Chancery (Samuel P. Jarvis), 29, 30, 218, 223, 224, 448, 534.
  Of the Crown (John Small), 699.
  (Dep.) of the Crown and Pleas (Mr. C. C. Smith), 347, 355.
  Of the House (Grant Powell), 164, 187, 191, 193, 197, 277, 424, 426, 544, 548, 684, 685, 690.
  Of Assembly (Late) A. McDonell, 754.
  Of the Legislative Council (John Powell), 187, 190, 193, 424, 426, 684. 685.
Clerks of the Peace, regulation of fees, 393.
Clinger, John, Blacksmith, 695, 702.
Clinton Township, Niagara Dist., 295.
Clothiers and others, of Newcastle Dist., Petition, 67.
Clute, Ganet de, 752.
Coasting Vessels, 162, 165, 166, 167, 168.
Cobourg Village, Petition *re* Sunday School Library, 301.
  Cochrane, 17.
Cochrane, A. W., 523, 526.
Cochrane, Andrew W., 115.
Cochrane, William, Esq., 513.
Coffee, Schedule of, at Port of Quebec, 658.
Coffin, Col. N., Adjutant General of Militia, *re* salary, 82, 83.
Coin Bill, 402, 410.
Coins, Current Regulation of, 397, 401.
Coins, false, 709.
Cole, Adam, 753.
Cole, Charles, 221.
Cole, Daniel, 752, 774.
Collections at Port of Quebec, 79, 308, 317, 326, 343, 365, 455, 456, 458, 566, 567, 568.
Collector of Customs, 227, 228, 229, 230, 270, 444.
Collector of Customs, Port of York, Report, 79.
Collectors of Customs, Belleville, 710; Cornwall, 150, 151, 732, 761; Fort Erie, 732, 761; Johnstown, 732, 761; Kingston, 708, 732, 733, 761; Newcastle, 761; Niagara, 732, 733, 761; Quebec, 229; Queenstown, 732, 761; Sandwich, 761; York, 732, 733, 761.
Collectors' Bill, 304, 318, 340, 346, 351, 355, 365, 370, 371, 372, 450, 481, 538, 556, 559.
Collectors' Fees, Fee for opinion to Inspector General, 710.
College, Establishment of in Province, 346, 356, 372.
Collins, Francis, 381.
Colls, George, 724.
Colonial Corps, British and, 97.
  Office, 224.
  Trade, 437.
Colonies, American, 59.
  British, Trade in, 445.
  North American, 439.
  And Plantations, North America *re* taxation, 58.
  Principal Secretary of State for, 45, 49, 219, 602, 623, 659.
Comer, P., 769.
Commerce, Regulation of, 58, 60.
Commercial arrangements with Lower Canada, Commissioner's Report, 10-25, 96-115.
  Intercourse or relations with Lower Canada, 6, 96, 109, 162, 168, 181, 184, 194, 325, 346.

Intercourse with the United States, 159, 164, 165, 438, 445, 461, 462, 467, 475, 530, 535, 543, 546, 588, 686.
Interests of Province, 589.
Commissariat Batteaux, 492.
In Lower Canada, 101, 112, 114.
In Upper Canada, 101, 114.
Commissary General, 79, 491, 509.
General, Deputy, 509, 510.
Commissioner, 204, 206, 208, 365.
of Customs, Remuneration Bill, 647, 648, 649, 686.
of Navy, 480.
Robinson, 380, 400.
Robinson, Remuneration of, 475.
Commissioners, Upper and Lower Canada, *re* adjustment of duties levied at Quebec, 3, 5, 6, 16, 17, 19, 64, 96, 105, 106, 107, 108, 112, 113, 250, 268, 274.
Appointment Bill, 174, 175, 183, 195, 403, 410, 411, 416.
Appointment of, 162, 170, 171, 176.
Letter *re* Commissionership from John B. Robinson, 181.
Clerk to, (J. B. Macauley), 222.
Detention in England, Address *re*, 353.
His Majesty's Treasury, 97, 109, 369.
Home District, 83.
Internal Navigation, 262, 266, 366, 430, 478, 595, 619, 628, 639.
re Monument to Sir Isaac Brock, Report, 91-96.
Remuneration Bill, 68, 71, 72, 73, 82, 187, 364, 368, 369.
Remuneration of, 64, 68, 71, 73, 174, 175, 194.
Report, 452, 459, 467, 468, 471.
Report asked for, 602.
Report, *re* Boundary, 475, 476.
Report, Canal, 363, 364, 369, 374, 386.
Report *re* Commercial Arrangements with Lower Canada, 10-25, 96-115.
re Kingston Bank, 339, 344, 351, 363, 364, 366, 382, 383, 413, 430, 466, 537, 688.
Committee, Member of, 6.
on Finance, 78, 81.
of Supply, 81, 83, 90, 156, 159, 162, 168, 170, 281, 286, 372, 376, 377, 383, 384, 393, 409, 455.
Common Pleas, Clerk of Court of, 699.
Common Schools, Act *re*, 564, 590, 694, 556, 596, 623, 688.
Bathurst Dist., establishment of, 280, 281, 287, 289, 290, 302, 303, 305, 428.
Expenditure, 570.
Niagara Dist., *re* money due teachers, 279, 302, 319, 320, 324, 382, 429.
Commons House of Assembly, 2.
Accommodation in, 6, 158, 187, 209, 210.
Clerk of (Grant Powell), 164, 187, 191, 193, 197, 277, 424, 426, 544, 548, 684, 685.
Members of, Bill *re* resignation, 556.
Qualification of persons eligible for election to, 64, 161, 167, 195.
Wages of Members, 347, 622, 629.
Comstock, Aaron, 753.
Connor, James, 721.
Consigny, N., 736.
Consigny, Nicholas, 777.
Conspiracy, The King vs. Agnes McCartney, et al, 705, 723.
Conspiracy, The King vs. McDonell, et al, 710.
Constack, Aaron, Patent for 200 acres, Yonge Street, 695.
Constack, Levi, Patent for 100 acres, Yonge Street, 695.
Constitution of Upper Canada, 110.
Contingent Accounts, 69, 164, 176, 184, 187, 188, 189, 190, 191, 192, 381, 397, 400, 410, 415, 424, 425, 426, 642, 682, 683, 684, 685.
Conveyancing, deeds, wills, registering of, 66, 83, 157, 214, 398.
Cook, Mr., 722.
Cook, Thomas, 752, 774.
Coons, Isaac, 221.
Coons, Jacob, 779.
Cooper, William, 752, 775.
Co-operation between branches of Legislature, 6.
Corn and flour, duty on, 49, 50.
Cornwall, 77, 139, 150.
Crown Office Accounts, 700.
Customs Collector, 732, 761. Adam Dixon, Merchant, Petition of, 77.
Letter rates from Halifax, Postal regulations, 61, 62.
Costly, Patrick, 703.
Cottier, William, 30, 31.
Counterfeit. Uttering forged bills or false coin.
The King vs. Arba Stimson, 713, 714.
Edward Johnston, 724.
Ira Kellog, 709.
Luther King, 709, 713.
Nathan Osborne, 710, 714.
Martin Stoutenborough, 709.
Owen Wessels, 714.
Counties, Division of Province into, 86, 117, 121, 138-144, 213, 225.
Fees for Proclamation of Lt.-Governor Simcoe, *re* Division of Province into, 697.
Formation of new, 239.
Incorporation into Districts, 451.
Regulation of Representation from, 465.
Townships composing various, 464, 465.
Courier, Newspaper, 249.
Court of Assize, 34.
Clerk's fees, 165, 717.
Clerk's travelling expenses, 404.
and Gaol delivery, address *re* withholding Commission, 460, 477.
and Nisi Prius, 298, 303, 339, 340, 343.
Court of Common Pleas, Clerk, of, 669.
Court House, *re* Act, 461, 473, 474.
Belleville, Petition *re* Gaol and, 554.
Home Dist., Petition and Act *re*, 281, 284, 293, 294, 302, 428, 440, 457, 531, 532, 548, 685.
Kingston, 156, 174, 185, 195.
London Dist., 270, 299, 308, 309, 314, 316, 318, 429.

Midland Dist., 156, 160, 165, 172, 174, 175, 185, 195, 546, 554.
Niagara Dist., Rebuilding after the war, 156.
Ottawa Dist., 642, 650.
Plantaganet Tp., Petition *re* Gaol and, 537.
Court of King's Bench, 75, 76, 87, 123, 147, 154, 157, 159, 163, 168, 169, 194, 216, 288, 395, 412, 416, 417, 418, 420, 543, 564, 585, 588, 591, 604, 605, 610, 622; Reports of, 342, 379, 395, 396, 399, 406, 429, 431.
Oyer and Terminer, 298, 303, 339.
Probate, 379, 382, 394, 430, 481, 541, 560, 562, 590, 604, 619, 622, 623.
of Requests, Jurisdiction of, 286, 293.
Surrogate, 316, 325, 326, 375, 379, 382, 383, 394, 411, 412, 430, 431, 451, 452, 481, 541, 560, 562, 590, 604, 619, 622, 623.
Courts, Bathurst District, Establishment of, 205, 211, 213, 215, 217, 272, 279, 326, 375, 379, 382, 394, 431.
Courts, District, 87, 88, 125, 145, 147, 149, 194, 316, 324, 325, 326, 375, 382, 383, 394, 395, 411, 412, 430, 431, 451, 452, 455, 456, 457, 649.
Couteau du Lac, 14, 20, 99, 100, 105, 113, 114, 489, 492, 494, 495, 496, 502, 507, 511, 521, 527, 734, 741, 742, 747.
Coy, H., 721.
Coyle, Feltie, 751.
Cowan, Joseph, 720.
Cramahe Township, 62, 73, 76.
Boundary Bill, 327, 343, 347, 348, 356, 358, 359, 375, 429.
Petition of Inhabitants, 205, 210, 294, 299, 317.
Crawford, David, Petition of, 287, 289, 323, 371.
Credit River, *re* preservation of salmon, 535.
Crimes and offences committed without any described Township or County, *re* Trial of, 452, 456.
Criminal Jurisdiction Act Repeal Bill, 456, 475.
Criminal Laws, *re* alteration of code, 456, 532, 548, 552.
Cromley, Henry, 751, 773.
Crooks, Mr., 3, 4, 5, 26, 28, 29, 32, 34, 36, 37, 38, 47, 48, 49, 50, 51, 52, 64, 66, 67, 68, 69, 70, 71, 74, 76, 86, 87, 88, 90, 91, 124, 125, 146, 147, 148, 149, 151, 152, 153, 194, 218, 219, 225, 268, 269, 271, 273, 274, 279, 281, 282, 283, 284, 285, 286, 287, 289, 291, 296, 299, 302, 303, 306, 307, 318, 319, 320, 322, 324, 327, 328, 340, 341, 343, 346, 347, 348, 349, 352, 354, 355, 357, 358, 359, 360, 361, 363, 365, 366, 367, 373, 374, 375, 376, 378, 381, 382, 383, 384, 385, 386, 397, 398, 400, 401, 404, 405, 409, 411, 412, 413, 415, 416, 419, 422, 425, 426, 427, 438, 439, 444, 446, 450, 451, 452, 453, 455, 456, 457, 464, 468, 469, 470, 471, 472, 475, 477, 479, 531, 534, 536, 537, 538, 545, 547, 549, 551, 552, 553, 554, 555, 556, 557, 558, 561, 562, 563, 564, 565, 573, 574, 575, 577, 578, 587, 588, 591, 592, 593, 594, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 608, 610, 611, 613, 617, 621, 622, 624, 628, 629, 635, 638, 640, 641, 644, 645, 647, 648, 649, 650, 652, 662, 664, 665, 668, 672, 673.
Crooks, James, 321, Opinion on navigation rights, fee for, 710.
Crooks, Matthew, Esq., Petition, 222, 312, 418.
Crooks Relief Bill, 317, 327, 341, 342, 344, 360, 376, 400, 401, 416, 418, 430.
Crooks, William, Report on Petition of Fee *re*, 708.
Crooks, William and James, 750, 774.
Crookshank, George, 592, 657.
Crookshank, Mr., 717.
Crosby Township, 416.
Crosby Township, Lands forfeited, 221.
Cross, Joseph, 144, 145.
Croswaltie, Daniel, 716.
Crow, John, 750.
Crown, Clerk of the, 699.
Crown Duty, 80.
Crown Lands, *re* settlement, 373, 564, 600.
Crown Lands, *re* timber Fee for instructions *re* seizure of, etc., 708, 710.
Law Officers of, 244, 257.
Crown Office Accounts, 699.
Brockville, 700.
Charlotteville, 700.
Eastern Dist., 699, 700.
Gore Dist., 700.
Home Dist., 699, 700, 701.
Kingston, 700.
Newcastle Dist., 699,700.
Niagara Dist., 700.
Sandwich, 700.
Western Dist., 700.
York, 700, 701.
Crown Reserves, 389.
Crysler, J., 746.
Crysler, John, 758, 770, 777, 778.
Crysler, John, Petition of, 89, 123. Relief Bill, 150, 151, 168, 195.
Culbertson, John, 752.
Cumming, Mr., 330, 333.
Cummings, John, 752, 774.
Cummings, Thomas, 774.
Cummings, W., 737, 769.
Currency, Paper, 269, 272, 282, 328. Coins, Current, Regulation of, 397, 401.
Curry, C., 778.
Curry, J., 736, 746, 770, 779, 780.
Curtis, Peter P., 126, 129.
Custom House, 226.
Customs. See Duties.
Customs, Collector of, 227, 228, 229, 230, 270, 444.
Customs Collectors, Belleville, 710; Cornwall, 150, 151, 732, 761; Fort Erie, 732, 761; Johnstown, 732, 761; Kingston, 708, 732, 733, 761; Newcastle, 761; Niagara, 732, 733, 761; Quebec, 229, Queenstown, 732, 761; Sandwich, 761; York, 732, 733, 761.
Cutler, Thomas, 703, 718, 719.
Cuvillier, 20, 24.

D.

Dalhousie Township, part of County of Lanark, 464.
Dalton, Thomas, 330, 331, 333, 334, 469, 479, 572, 578.
Dalton's Point, Boat Channel, 519, 520.
Daly, John, 750, 774.
Darling, H. C., 510.
Darling Township, part of County of Lanark, 464.
Daroi, F., 745.
David, D., 739, 770.
Davids, D., 744, 777.
Davidson, John, 20, 24, 25.
Davis, Daniel, 128, 130, 132, 134.
Davis, J., C. L. Surveyor and Civil Engineer, 523.
Davis, John, 715.
Davy, John, 752, 774.
Davy, P., 724.
Day, Moses, 221.
Deaming, David, 136.
Dean, Isaac, 716.
Debates, *re* reporting and publishing of, 31, 32, 34, 85, 219, 402, 446, 450.
Debentures, Account of, 226, 459, 460, 466, 467, 468, 471.
Bill, 633, 634, 636, 644, 662, 686.
Borrow on, 3, 32.
Forfeited Estates, 476, 557.
Government, 619.
Issued under Act, 173.
Debtors, Maintenance of, Insolvent, 124, 150, 155, 165, 195.
Bill for relief of, 317, 342, 356, 357, 358, 361.
Petition of Brockville Gaol, 464.
Petition of Home Dist. Gaol, 277, 278, 317.
Petition of York Gaol, 272.
Decon, Thomas, 737.
Deeds of Bargain and Sale, 31.
Deeds, Registration of, 66, 83, 157, 214, 398.
Defaulters, Public, 75.
Delamaitre, Henry A., Petition, 91.
Delamotte, Henry A., Petition, 86.
Delaware, *re* mails from York, 61, 62.
Delaware Township, Petition of Inhabitants, 34, 461.
Delaware Township, Lands forfeited, 222.
Delisle, Antoine, 736.
deLisle, Begon, 743.
Delong, George, Petition, 304, 306, 316, 341.
De Long Relief Bill, 350, 352, 354, 360, 379, 383, 416, 417, 419, 429.
De Lothbeniere, Chartier, J.P., 747.
Demming, P., 779.
Denison, Nathan, 737, 746.
Denton, William, 136.
Depression of Trade, 5.
Deroche, Augustine, 767.
Despatches, Governor's, 62.
Detroit, Capture of, 95.
Fort, of, 96.
River, 142.
Devisee, see Heir and Devisee.
Dewey, Daniel, 126, 129.
Dexter, Thomas, 774.
Dickson, J., 768.
Dickson, John, 757.
Dickson, Thomas, 92, 93, 774.
Dickson, Thomas, Payment of postage, 694.
Dickson, Thomas, License issued by, 750.
Dickson, William, 112, 592.
Diffey, John, 704, 720.
Dingwall, James, 735.
Dispatch, extract from, *re* Incorporated Militia, 225, 226.
Disqualification Bill, 161, 165, 167.
Distillers, *re* License, 9, 78, 269, 270, 566.
Legal provisions affecting, 204, 206, 209.
Distillery Laws, 306.
District Attorneys Bill, 364, 386, 388, 392, 393, 420.
District Courts, 87, 88, 125, 145, 147, 149, 194, 316, 324, 325, 326, 375, 382, 383, 394, 395, 411, 412, 430, 431, 451, 452, 455, 456, 457, 649.
District Courts, Bathurst Dist. See Bathurst.
District Schools, Bathurst Dist., Establishment of, 278, 280, 281, 287, 289, 290, 302, 303, 305, 428.
District Schools, Ottawa Dist., 209, 271, 274, 275, 279, 285, 428.
District Schools, Report of Board of Trustees, 361, 363, 369.
District Treasurers, 71, 300, 323, 324, 326, 343, 362, 363, 369, 550, 554.
Districts, Division of Province into Counties and, 86, 117, 121, 138-144, 213, 225. See also under names of Districts.
Division of Bathurst District, 464, 470, 663, 664, 686.
Division of County of Carleton, Bathurst Dist., 464, 465, 480, 481, 663, 664, 686.
County of Halton, 219, 444, 534, 549, 575, 578; Counties of Lennox and Addington, 449, 450, 451, 465, 481, 542, 562.
Quebec into Upper and Lower Canada, 110, 139, 246, 247, 248, 252.
Division Bill, 538, 556.
Division of Province, 450, 452, 464, 465, 466, 478.
Dixon, Adam, Petition, 77, 86, 145.
Dixon Relief Bill, 159.
Dolson, Mathew, 749.
Dominion and Plantations, American, 59.
Donaldson, John, 749.
Dorchester, Lord, 139.
Dorchester Township, Petition of Inhabitants, 34, 461.
Doren, J., 737.
Dorland, Thomas, 448, 449.
Douglas, Alexander, 750.
Douro Township, County of Otonabee, 465.
Downes, Seth, 735.
Dowsley Relief Bill, 350, 352, 360, 417, 419, 429.
Dowsley, Thomas, Petition, 280, 287, 379.
Doyle, Thomas, 751, 758.

Drake, Gilbert, 750, 774.
Driscott, William, 125.
Drouillard, Joseph, 749.
Drummond Island, Post of, 664, 667.
Drummond, Sir Gordon, 11.
Drummond Township, part of County of Lanark, 464.
Drunkards, protection of families of, 283, 291, 297.
Duff and Leith, 749, 751.
Duggan, George, 144, 178, 179.
Duglas, Alexander, 774.
Dulmage, P., 736.
Dumfries Township, part of County of Halton, 465.
Dumfries Township, report on petition of sundry inhabitants, fee, 709.
Dummer Township, part of County of Otonabee, 465.
Dundas, Letter rates and postal regulations, 61, 62.
Dundas County, naming of, 139, 140.
Dundas County, representation of, 143.
Dunlap, James, 739, 740.
Dunlop, J., 742, 743, 744, 745.
Dunlop, James, 746, 771, 776, 777, 778, 779.
Dunn, Edward, 706, 724.
Dunn, J., 736, 739, 746.
Dunn, John, 750, 774.
Dunn, John Henry, Esq., 415.
Dunn, Mr., 717.
Dunwich, Petition of Inhabitants, 461.
Durand, James, 777.
Durham, Boats, 492.
County, Election, Contested, 73, 164, 191, 194.
County, Naming of, 141. Representation of, 143.
County, Petition of inhabitants, 68, 223, 272, 312.
Dusber, W., 735.
Dusber, Wm., 769.
Duties, Cash received for under Provincial Acts, 733.
Collected at Port of Quebec, 3, 10, 79, 308, 317, 326, 343, 365, 455, 456, 458, 566, 567, 568.
Collected on Goods from the United States, 732, 761.
Collecting of for regulation of navigation, etc., 58, 408, 414, 513, 514, 518.
Collection of, 444.
Corn and flour into Britain, 49.
General Account of goods on which duties are imposed by Lower Canada, 734, 767, 776.
Goods received from Quebec, 41, 308, 317, 326, 343, 365, 455, 456, 458, 461.
on Billiard Tables, 575, 583, 590, 591.
Imports, account of revenue, 454.
Imports from the United States, 78, 81, 105, 106, 110, 153, 180, 559, 560, 625, 626, 634, 635, 640, 641-644.
Imposed for indemnifying sufferers from late war, 638.
Levied at Port of Quebec, 26.
Licenses, see License to Innkeepers, Shops, Stills, etc.
Lower Canada Lumber, 410.
Machinery for cleaning hemp and flax, 279.
Merchandise imported into Quebec, 619, 638, 639, 662.
Payable at Chateaguay and Montreal on scows and rafts, 408, 414.
Provincial, 267, 294.
Seizure of goods by Collector, Kingston, 708.
Spirituous liquors, 54, 78, 204, 206.
Stills, 41, 45, 269, Bill *re*, 352, 357, 359, 361, 364, 375, 430, 431.
Timber, 49, 50.
Tobacco, 577, 584, 678.
Tonnage, 79, 227, 454.
Duty Bill, 405, 529.
Duty, Light House, 81.
Dye stuffs from United States, 73, 76, 91.
Dyer, 704, 722.

E.

Eardon, George, 20.
Earnesttown Township, 140.
East Indies, 263.
East India Company, 463, 652, 653, 655. 656, 657, 659, 669, 671, 672.
Easter Term, 298, 303, 339, 343.
Eastern District. Assize Accounts, 703, 720.
Crown Office Accounts, 699, 700.
Forfeited Land, 220.
Shop and Tavern Licenses Issued, 757.
Still Licenses Issued, 758.
Eastman, Narab, 734.
Eaton, 703.
Eaton, Jabez, 720.
Eaton, Oliver, 719, 720.
Education, advancement of, 108.
Education, Board of, 361, 363, 369.
Edwards, Joseph, 750, 774.
Edwardsburgh Township, 140.
Ekfrid Township, Petition of Inhabitants, 34, 461.
Eldridge, Rowley, 708.
Election Bill (Controverted), 292, 294, 307, 323, 324, 552, 577, 581, 582, 621, 687.
to prevent fraud at elections, 458.
re qualification of member and candidate and to provide against fraud. (See also Qualification Bill), 457, 478, 479, 540, 542, 543, 545, 546, 547, 549, 573, 575, 576, 579, 580, 686.
to alter mode of Trial of elections, 457, 470, 536, 581, 582, 621, 687.
Contested, County of Durham, 73, 164, 191, 194.
Contested, Lenox and Addington, Petition *re* election of Barnabas Bidwell, Esq., 4, 7-9, 31, 36, 37, 115-116, 147, 148, 149, 152; Do. *re*, Matthew Clark, Esq., 215-217, 273, 274, 306, 315; Do. *re* George Ham, Esq., 441, 444, 450, 452, 539.
Marshal Spring Bidwell, 215-217, 313, 314, 315, 441, 442, 443, 444. Trial of election of Barnabas Bidwell, 124,

125, 145, 146, 147, 148, 149, 152, 153. Process to issue, 455. Indenture of Returning Officer, 30, 224. *Re* Returning Officer, 215, 441, 539. Writ of Election, 29-30, 153, 215, 216, 223, 224, 316, 441, 447-449, 539. Fee for same, 697, 698. Libel *re* proceedings of House on Petition, 193.
Writs right to issue, 347.
Elizabethtown Township, 140.
Lands forfeited, 221.
Patent for 100 acres, 695.
Ellice, Mr., 251.
Elliott, Jacob, 719.
Elmare, A., 718.
Elmsley, Hon. Chief Justice John, 766.
Elsworth, Isabel, 221.
Embury, Samuel, 769.
Emerson, John, 758.
Empey, H., 734, 770.
Empey, J., 768, 775.
Empey, Jacob, 779.
Empey, Peter, 757.
English Language, use of in Legislative Council, 242.
Law, to introduce in Province of Quebec, 451.
Mail, 62.
Episcopal, Methodist. (See Methodist Episcopal.)
Eramosa Township, part of County of Nelson, 465.
Erie Canal, between Lake and Hudson River, 516.
Erie, Lake, 142.
Erin Township, part of County of Nelson, 465.
Ernesttown Township, part of County of Addington, 465.
Escape, The King vs. Farrar, 703, 718. Phillips, 705.
Esquesing Township, Salt works, 348.
Essa Township, part of County of Simcoe, 465.
Essex County, Representation of, 142, 143.
Estate, Real, *re* sale of on judgments and executions, 280.
Estates, Forfeited, 166, 170, 172, 180, 181, 182, 184, 187, 195, 205, 207, 214, 220, 278, 281, 461, 472, 475, 557.
Estates, Intestate, 53, 66. Bill *re*, 534, 564.
Estimates for year, 4, 9, 10, 437.
Estimates for Administration of Justice, 460, 477, 568.
Estow, Samuel, 769.
Etobicoke Township, part of County of York, 465.
Euphrasia Township, part of County of Simcoe, 465.
Everes, Oliver (Inspector, Johnstown District), 572, 578, 587.
Everitt, Daniel, fee for Report on Petition, 708.
Everson, John, 752, 775.
Ewart, John, Builder, 695, 702, 703.
Exchange Bill, 275, 276.
Executions, Sales of land under, 280, 284.
Executive Council Office, 375.
Expiry of Acts, 4. Of Laws, 204, 208, 209, 212, 269, 270, 271, 438, 440.
Exports of Lumber, Potash and Provisions, 106.

F.

Fairbanks, Joshua, 750, 774.
Fairfield, Benjamin, 115, 116.
Fairfield, Stephen, 774.
Fairfield, William, 751, 773.
Falmouth, 59.
Fanning, John, 750, 773.
Fanning, Sarah, fee for patent of 200 acres in Blenheim, 695.
Fantan, 750, 723.
Farr, Richard, 751.
Farrand, Jacob, 771.
Farrar, 703, 723.
Featherley, P., 737.
Fees, Attorney General, Salary in lieu of, 117, 149, 154.
of Clerk of Assize, 169.
and Contingent expenses, 404.
Justice and Clerks of the Peace, regulation of, 393, 420.
Port, 162.
Table of, 622.
Felony, capital, 39.
Fencible Corps, 226.
Fenny, G., 735.
Fenny, George, 770.
Ferguson, A., 769.
Ferguson, D., 735.
Ferguson, G., 735.
Ferguson, J., 783.
Ferguson, John, 735.
Ferguson, Mr., 330, 331, 332, 333.
Ferguson, P., 770.
Ferguson, R., 723.
Ferguson, T., 724.
Ferry Across Bay of Quinte, Petition *re*, 587.
Fields, Charles, 750, 774.
Fields, Gilbert, 750, 774.
Finance, Committee on, 27, 28, 29, 41, 78, 81, 566, 573.
Finances of Province, 636.
Financial relations between Upper and Lower Canada, 3, 5, 41, 97, 115, 118, 119, 120, 121, 124, 159, 160, 161, 163, 166, 170, 171, 325, 346, 428.
Finkle, Henry, 752, 753.
Fire Engine Company, etc., Town of York, 178.
Fiscal relations between Upper and Lower Canada, 110, 111, 112.
Fish, Nathan, 720.
Fisher, J., Fee for Report on Claim, Amherstburg, 707.
Fisheries, Preservation of, 347, 349, 351, 357, 359, 364, 367, 370, 373, 430.
Fishery at outlet of Burlington Bay, 312, 359, 375, 430.
Herring, 320, 357, 359, 375, 430.
Salmon, Preservation of, 351, 364, 367, 370, 382, 430, 535, 586, 590, 603, 604, 606, 607, 608, 621, 622, 726.

Fitzroy Township, part of County of Carleton, 464.
Flamborough Township, part of County of Halton, 465.
Flamborough Township, Petition of Inhabitants, 307, 312, 349. Bill *re*, 347.
Flax, Machinery for, 279, 282, 283, 286.
Fletcher, William A., fee for Report on Petition, 710.
Flint, Billa, 753.
Floss Township, part of County of Simcoe, 465.
Flour and Corn, Duty on, 49, 50.
Floyd, Elizabeth, 719.
Fonte (Tonte) Isle, 140.
Forbes, John, 736.
Ford and Cartwright, of York, Carpenters, 209, 210.
Ford, Isle au, 140.
Forest, William D., 694, 708.
Forester, W., 734.
Forfeited Estates, 75, 166, 170, 172, 173, 180, 181, 182, 184, 187, 195, 205, 207, 214, 220, 221, 222, 278; Address to His Excellency, asking for return *re* moneys paid into hands of Special Receiver, on account of, 461, 472, 475; Statement given, 557.
Lands, 221, 222, 278.
Forgery, The King vs. A. Johnston, 706.
Forsyth and Co., 739, 740, 742, 743, 744, 745.
Forsyth, George and Co., 750, 774.
Forsyth, James, 768.
Forsyth, Joseph, 752, 774.
Forsyth, Richardson and Co., 771, 776, 778, 779.
Forsyth, William, 157, 164.
Forsyth, Wm., 749.
Fort Erie, Customs Collector, 732, 761.
Forty-ninth Regiment, 96.
Foster, Col. and others, *re* War Claims, 710.
Foster, William, 773.
Fothergill, Charles, Esq., 410, 611, 623, 633, 636, 665.
Fothergill, Charles, Government Printer, 694, 696, 701, 702, 717, 725.
Fouke, et al, 703.
Fowke, Erasmus, 718.
Fowler, John, 749.
Fox, James, fee for Report on Petition, 710.
Fox, Joseph, 751.
Fox, Philip, 751.
Fox, William, 751.
Foyerly, Richard, 721.
Fralick, Christopher, 448, 449.
Francouer, Joseph, 735.
Franklin, John, 705, 724.
Franklin, Mr., 221.
Fraser, D., 780.
Fraser, Isaac, 448, 449.
Fraser, Mr., 118.
Fraser, William, Inspector, 741, 747, 771, 781.
Fraser, Thomas, 745.
Fredericksburgh Township, 9, 140.
Fredericksburgh Township, part of County of Lenox, 465.
French, B., 771.
French Canadian, 97, 252, 254.
Influence, 256.
Language, 252.
Laws, 252.
Frontenac County, Naming of, and boundary, 140; Representation, 143.
Frontier of Upper Canada, Exposed, 638.
Froom, James, 753, 758, 768.
Fulford, Jonathan, 771.
Funds supplied by the Lieutenant-Governor, privately, 9, 26. See Lieutenant-Governor.

G.

Gage Island, 140.
Gallenger, Christian, 775, 776.
Gallenger, George Allan, 721.
Gallipo, John, 474.
Galt, Mr., 219, 639.
Gamble, William, 751.
Ganet, Isaac, 752.
Gananoque, Post House, 62.
Gananoque, Mouth of the, 140.
Gananoque River, 91.
Gaol and Court House, Home Dist., Petition and Act, 281, 284, 293, 294, 302, 428; Amending Bill, 440, 457, 461, 473, 474, 531, 532, 548, 552, 574, 685.
Belleville, Petition *re*, 554.
Brockville, Petition of Debtors in, 464.
Johnstown District, Petition of prisoners, 464.
Kingston, 156, 174, 185, 195.
London Dist., 270, 299, 308, 309, 314, 316, 318, 429.
Midland Dist., 156, 160, 165, 172, 173, 174, 185, 195, 546, 554.
Newcastle Dist., *re* Limit, 464.
Niagara Dist., Re-building after the war (1812), 156.
Ottawa Dist., 642, 650.
Plantaganet Tp., Petition *re* Gaol and Court House, 537.
York, Petition of Insolvent Debtors, 272.
Gaols, Limits to, 35, 47, 54, 55, 68, 70, 72, 124, 150.
Garafraxa Township, part of County of York, 465.
Garden, Mr. (Gordon), 25.
Gardener, Alexander, Petition of, 207, 213.
Gardener, Alexander, Relief Bill, 350, 352, 360, 417, 419, 429.
Gardner, Samuel, 751.
Gartey, Edward, 705, 722.
Gary, B., 777.
Gates, Mr., 29, 32, 34, 36, 37, 38, 41, 42, 43, 44, 46, 47, 48, 49, 50, 52, 55, 56, 63, 64, 65, 66, 67, 68, 70, 71, 72, 74, 87, 89, 90, 91, 117, 118, 123, 124, 125, 145, 146,

148, 152, 153, 154, 155, 157, 165, 167, 168, 176, 179, 180, 182, 183, 189, 190, 192, 193, 205, 206, 207, 211, 212, 225, 268, 269, 273, 278, 279, 281, 295, 297, 299, 303, 306, 307, 310, 311, 312, 314, 315, 318, 320, 321, 322, 323, 324, 325, 327, 328, 340, 341, 342, 343, 344, 352, 353, 355, 356, 357, 358, 359, 360, 363, 365, 367, 368, 369, 370, 373, 375, 376, 377, 378, 382, 383, 384, 385, 386, 388, 390, 391, 392, 393, 394, 398, 400, 403, 405, 406, 410, 411, 412, 416, 417, 419.
Gates and Co., 332.
Gates of Montreal, 334.
Geddes, James, 334.
General Post Office, 62.
General Quarter Sessions, 87, 89, 123, 194, 598.
Home Dist., 90, 281, 325, 342, 350, 353, 367, 429, 453.
London Dist., 34, 270.
Midland Dist., 160, 165.
Geneva Lake (Burlington Bay), 141.
Georgiana Township, part of County of York, 465.
German, Jas., 767.
Gentleman Usher of the Black Rod, 2, 3, 187, 191, 193, 194, 424, 426, 428, 599, 684, 685.
Gerrard, P., and Co., 739, 745.
Ghent, Treaty of, 614, 615, 664, 674.
Ghent, Treaty of, Proceedings of Commissioners under, 280.
Gibbs, Thomas, 543.
Gifford, Arthur, 524.
Gifford, Garner, 718.
Gill, Valentine, Esq., 357, 366, 386, 387.
Gillespies, Gerrard and Co., 93.
Gireaw, P., 719.
Givens, James, 694.
Glasford, L., 736.
Glasford, Paul, 734, 757, 758.
Glen, 738.
Glengarry County, Proclamation *re* name, boundary, etc., 139; Representation of, 142, 143.
Glyn, Timothy, 718.
Goddon, P., 735.
Goods sold at auction, 81.
Governor in Chief (Richmond), 45.
Governors' Despatches, 62.
Gordon, Mr., 72, 74, 75, 82, 86, 87, 89, 90, 91, 115, 116, 117, 119, 121, 122, 123, 124, 125, 148, 149, 152, 153, 154, 157, 165, 167, 168, 173, 174, 176, 179, 180, 182, 183, 188, 189, 190, 191, 192, 193, 215, 218, 219, 222, 224, 225, 268, 269, 270, 271, 272, 273, 276, 278, 281, 283, 286, 288, 290, 291, 293, 294, 295, 297, 298, 299, 303, 306, 307, 308, 309, 310, 311, 312, 314, 315, 320, 322, 323, 324, 340, 341, 342, 344, 346, 347, 348, 349, 350, 351, 352, 354, 355, 356, 358, 359, 360, 363, 365, 369, 370, 373, 375, 376, 377, 378, 381, 382, 383, 384, 385, 447, 450, 452, 453, 454, 455, 456, 460, 463, 466, 468, 470, 471, 472, 473, 474, 478, 479, 528, 529, 531, 535, 536, 537, 538, 541, 542, 544, 545, 547, 553, 554, 555, 556, 559, 560, 563, 564, 565, 573, 574, 576, 577, 578, 579, 581, 583, 584, 585, 586, 587, 588, 591, 592, 593, 595, 597, 598, 599, 600, 602, 604, 605, 606, 610, 613, 615, 616, 619, 620, 621, 622, 624, 625, 627, 628, 631, 632, 633, 635, 636, 637, 638, 639, 640, 642, 648, 649, 661, 665, 666, 678, 680.
Gordon, G., 24, 25.
Gordon, James, 187, 449, 453, 457, 531, 578, 651, 657.
Gore District, 39, 47, 71.
Accounts, Assize, 707, 715. Crown Office, 700.
Re division of Halton County, 219, 444, 534, 578.
Fees for Fiats for Commission of Assize, 711.
Lands forfeited, 622.
Machinery for dressing Hemp, for use of inhabitants of, 482, 483.
Petition *re* Canal, 289, 461.
Petition of Inhabitants, 287, 373, 530.
Petition of Inhabitants of Flamborough and Nelson, 307, 312.
Petition of Magistrates, Grand Jury, etc., 457.
Gore, His Excellency Francis, Esq., 292, 299, 301.
Goulburn, Henry, Under Secretary of State for the Colonies, 50.
Goulburn, Mr., 33.
Goulbourn Township, part of County of Carleton, 464.
Government Bill, Canadian, 226.
Civil, 233, 236, 251.
Clerks and Officials, augmentation of salaries, 404, 405.
House repairs, 169, 375. Disbursements for, 695.
Officers of, 169.
Printer, 169, 611, 375, 694, 696, 701, 702, 717, 725.
Provincial, Resolutions *re* salaries, 396.
Grace, 563.
Grace, Maria, Petition of, 86, 91.
Grace, O., 222.
Grace, Oliver, 91.
Graham, Alexander, 222.
Grand Isle, 140.
Grand River Bridge, 85, 119, 123, 150.
(Brant), 142.
Indian Nations on, 534.
or Ottawa River, 139, 140, 141.
Grander, P., 736.
Grant, A., 735, 746.
Grant, Allan, 735.
Grant, Archibald, 770.
Grant, Duncan, 721.
Grant, J., 737, 738, 739, 740, 742, 743, 744, 745, 767.
Grant, James, 768, 769.
Grant, John, 742, 743, 744, 745, 746, 768, 770, 771, 776, 777, 778, 779.
Grant, Peter, 779.
Grantham Township, 418.
Grantham Township, Lands forfeited, 222.
Graphic Company, 334.

Grason, J., 770.
Graves, William, 718.
Gray, J., 737, 745.
Gray, William, 736, 767.
Great Britain, 59, 109.
Green, I., 704, 720.
Green, John, 774.
Green, M., 706.
Green, Richard, 710.
Gregory, Esbor, 126, 129.
Grenville County, Petition of inhabitants, 47, 453.
Proclamation *re* name, boundary, etc., 140.
Representation, 143.
Griffin, Smith, 751, 773.
Griffiths, Samuel, 705, 722.
Griffiths and Troy, Fee for Report on petition, 710.
Grimsby, letter rates from York, etc., 61, 62.
Grind Stone Island, fee for Report on, 710.
Gruet, Fee for report on position of, 709.
Guardian of Minors, 69, 74, 78, 119.
Guernsey, 60.
Gwillimbury Township, Lands forfeited, 221.
North and South, part of County of York, 465.
and Otonabee Road, 621, 628, 630.
West part of County of Simcoe, 465.
West, Petition *re* bridge, 550, 553, 554, 555, 609.

H.

Hagerman, Mr., 3, 4, 5, 6, 10, 26, 27, 31, 32, 36, 37, 38, 39, 40, 42, 43, 44, 46, 47, 48, 49, 50, 52, 55, 56, 63, 65, 66, 67, 68, 69, 71, 72, 73, 74, 78, 86, 87, 90, 91, 124, 125, 145, 148, 151, 152, 153, 154, 155, 157, 159, 160, 161, 162, 163, 165, 166, 167, 168, 170, 171, 173, 174, 175, 176, 179, 180, 181, 182, 183, 184, 185, 186, 188, 189, 190, 193, 205, 206, 207, 208, 210, 211, 212, 213, 218, 219, 224, 225, 268, 269, 270, 271, 273, 275, 277, 278, 279, 281, 282, 283, 284, 286, 287, 290, 291, 292, 294, 297, 298, 299, 300, 304, 305, 306, 307, 310, 311, 312, 313, 314, 315, 316, 317, 320, 321, 322, 323, 324, 327, 328, 330, 332, 333, 334, 340, 341, 342, 343, 344, 346, 348, 349, 351, 352, 353, 355, 356, 357, 358, 359, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 396, 397, 399, 400, 404, 405, 406, 408, 409, 410, 412, 413, 415, 420, 422, 439, 440, 445, 447, 450, 453, 456, 458, 461, 462, 466, 468, 470, 471, 472, 473, 475, 477, 478, 479, 481, 528, 529, 530, 531, 532, 535, 536, 537, 538, 539, 540, 541, 542, 544, 545, 546, 547, 549, 554, 555, 556, 557, 560, 562, 563, 565, 573, 574, 577, 578, 581, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 603, 604, 606, 608, 609, 610, 613, 615, 619, 621, 622, 624, 625, 627, 629, 631, 632, 633, 635, 636, 637, 638, 639, 640, 644, 645, 647, 648, 650, 651, 665, 668, 672, 674, 679, 680, 681.
Hagerman, C. A., 333. Acting Counsel for Crown, Western Circuit, 715.
Hagerman, Christopher A., 219, 269, 657.
Hagerman, Daniel, 7, 25, 26, 27, 29.
Haggart, James, 768.
Hale, J., Arbitrator for Lower Canada, 488, 490, 493, 496, 497, 500, 505, 508, 509, 510, 512, 513, 518, 519, 527, 528.
Haldimand Township, 48, 54, 73, 76.
Haldimand Township, Lands forfeited, 222.
Half pay asked for late Incorporated Militia, 612, 624.
Halifax, 61, 62.
Hall, J. P., 31.
Hallowell, Post House, 62.
Halton County, Division of, 219, 444, 534, 549, 575, 578.
Member for, 153, 312.
Township comprising, 465.
Halton, Mr., 33, 49.
Halton, William, 64, 65, 66, 80, 283, 286.
Halze, Ezra, 136.
Ham, George, 224.
Ham, Mr., 437, 439, 441, 442, 443, 444, 446, 448, 449, 450, 451, 452, 455, 456, 457, 458, 460, 463, 468, 471, 472, 475, 477, 478, 479, 530, 531, 534, 535, 536, 537, 538, 539.
Hamblin, Silas, 757.
Hamboro, John, 749.
Hamilton, Post House, 62. Crown Office Accounts, 700.
Hamilton, Mr., 274, 623, 627, 640, 641.
Hamilton Mr. (of Lincoln), 27, 28, 32, 35, 36, 37, 39, 40, 42, 43, 44, 46, 47, 52, 54, 55, 56, 66, 67, 68, 70, 71, 72, 74, 83, 87, 90, 154, 159, 167, 168, 173, 175, 176, 177, 180, 181, 182, 183, 185, 189, 190, 193, 206, 207, 210, 211, 218, 219, 225, 269, 270, 271, 273, 281, 283, 290, 291, 295, 297, 299, 300, 304, 305, 306, 307, 310, 311, 312, 314, 315, 318, 323, 327, 328, 340, 341, 343, 344, 346, 348, 349, 352, 353, 355, 356, 358, 359, 360, 363, 365, 366, 369, 370, 371, 372, 373, 374, 375, 376, 378, 380, 382, 383, 384, 385, 386, 387, 388, 390, 391, 392, 393, 394, 397, 399, 400, 409, 410, 411, 412, 413, 419, 422, 423, 426, 455, 460, 466, 468, 469, 470, 471, 472, 474, 475, 477, 478, 479, 481, 482, 528, 530, 531, 534, 535, 536, 537, 539, 540, 541, 552, 553, 554, 555, 556, 557, 558, 560, 561, 562, 563, 564, 565, 575, 577, 578, 581, 590, 591, 592, 593, 604, 605, 606, 608, 609, 610, 613, 619, 620, 621, 622, 624, 629, 631, 632, 633, 635, 638, 645, 647, 650, 665, 679.
Hamilton, Mr. (of Wentworth), 4, 29, 32, 34, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48, 49, 50, 52, 72, 74, 86, 87, 89, 117, 118, 119, 123, 124, 146, 148, 152, 153, 157, 167, 168, 170, 174, 176, 179,

180, 182, 183, 185, 186, 189, 190, 192, 193, 206, 211, 218, 225, 268, 269, 273, 275, 279, 280, 281, 286, 287, 290, 291, 295, 297, 299, 306, 307, 310, 311, 312, 314, 315, 316, 317, 318, 320, 322, 323, 324, 327, 328, 340, 341, 342, 344, 348, 352, 354, 355, 356, 358, 359, 363, 365, 368, 369, 370, 372, 373, 375, 376, 377, 378, 382, 383, 384, 385, 386, 387, 388, 390, 391, 393, 394, 397, 398, 400, 401, 408, 411, 412, 415, 418, 420, 422, 425, 426, 428, 439, 450, 452, 455, 456, 460, 463, 468, 471, 472, 477, 532, 535, 536, 537, 538, 539, 540, 541, 542, 545, 547, 549, 552, 553, 554, 555, 556, 557, 560, 563, 565, 572, 574, 575, 577, 578, 581, 587, 588, 590, 592, 593, 594, 596, 597, 598, 599, 600, 603, 604, 605, 606, 610, 613, 620, 621, 622, 624, 628, 629, 637, 638, 647, 648, 649, 650, 665, 682.
Hamilton, Fee *re* Patent to James McDonell of 200 acres, 695.
Hamilton, George, Esq., 167, 168, 170.
Hamilton, Henry, 718.
Hamilton and Marckle, 750.
Hamilton, Robert, 112, 750, 774.
Hamilton, Robert, Jr., 773.
Hamilton, Thomas, 775.
Hamilton, William, 774.
Hanes, Michael, 769.
Hardison, Benjamin, 750, 774.
Hardney, John, 354.
Hardy, John, 341, 387, 388, 409, 411.
Hare, John, 738.
Harrington, Daniel, 136.
Harris, Daniel, Petition, 322, 348, 363, 386, 431.
Harris Patent Bill *re* pot ash boiler, 396, 398, 399.
Hartle, A., 738.
Hartman, Jacob, 224.
Hartwick, John B., 775.
Harture, John Bush, 757.
Harvey Township, part of Otonabee County, 465.
Haskill, Charles C., 715.
Hastings County, 572.
  Petition of Inhabitants, 207, 547, 554, 600.
  Proclamation *re* name, boundary, etc., 141.
  Representation, 143.
Hatt, Samuel, 751.
Hawksburgh, Post House, 62.
Hawkers and Pedlars License, 9, 78, 81, 269, 270, 305. Bill *re*, 317, 319, 320, 340, 429. Account of Revenue, 454, 566.
Hawley, Davis, 30, 31, 461, 466.
Hawley, Shelden, 31.
Hawn, Mathias, 774.
Hawn, Michael, 750.
Hawson, Mark, 718.
Hay, John, 770.
Hays, Robert, 704.
Heirs, Devisees or assignees of original nominees of the Crown, 71, 74, 81, 82, 283, 297, 304, 313, 324, 325, 343, 347, 371, 390, 429.
Hemp and Flax, Bill to import machinery free of duty, 279, 282, 283, 286.
  Cultivation of, 3, 27, 38, 166, 181, 182, 187, 195.
  Machinery for use of Inhabitants of different districts, for use in preparation of. Letter *re*, from Commissioner John B. Robinson *re* same, etc., 482, 483, 544.
  Mills, 274.
Henderson, Robert, 751, 773.
Henry, James, 774.
Henry, John, 46, 48, 49, 76, 163, 377.
Herchmer, Jacob, 752.
Herchmer, Lawrence, 752, 774.
Hereditaments, Registering of, 66.
Herman, Anson, 221.
Herrick, H., 737.
Herring Fishery, 320. Preservation Bill, 349, 357, 359, 375, 430.
Herron, Andrew, 745.
Heynes, John, 721, 722, 724.
Hides, raw, *re* duty on export of, 316, 341. Embargo Bill, 346, 355.
High Treason, 39, 91, 216.
Highway Robbery, The King vs. Charles C. Haskill, 715.
Highway Robbery, The King vs. William Holly, 715.
Highways and Roads, Laws for laying out, amending, repairing, etc., 4, 28, 36, 41, 47, 48, 51, 52, 55, 64, 68, 88, 122, 149, 152, 273, 455, 457, 534, 549, 551, 553, 572, 593, 603, 616, 636, 637, 645, 662, 686.
  Assessment for, 552.
  Overseers of, 90.
  Petition *re* County of Durham, 395.
  Public, Niagara District, 156.
  at the River Rouge or Ouse, 377.
Hilary Term, *re* alteration of periods, 298, 303, 339, 343, 585, 591, 615, 688.
Hilborn, David, 736.
Hill, Ann, 136.
Hill, Thomas, 775.
Hillier, G., 25, 32, 33, 34, 49, 94, 95, 96, 226, 256, 268, 344, 345, 346, 518, 519, 526.
Hillier, George, 694.
Hillier, Major, 726, 727.
Hillier, Mr., Secretary, 45, 82, 91, 158, 219, 220, 225, 262, 285, 308, 350, 361, 459, 462, 482, 483, 550, 556, 595, 604.
Hillsborough County, 293.
Hitchcock, Samuel, 774.
Hogle, Sebastian, 448, 449.
Holland Landing, 550.
Holland River, 550, 609.
Holly, William, 715.
Homans, Benjamin, 137.
Home District, 39, 83, 86.
  Act, etc., *re* Gaol and Court House, 281, 284, 293, 294, 302, 428, 440, 457, 473, 474, 531, 532, 548, 685.
  Assize accounts, 706, 708, 711.
  Crown Office Accounts, 699, 700, 701.
  Fees on Commission of Oyer and Terminer, 697, 698.
  Lands Forfeited, 221.
  Licenses Issued, 752.

and Gore, Petition of Inhabitants, 530.
Petition *re* Salmon Fishery at the Credit, 535.
Petition of Insolvent Debtors, 227, 228.
Petition of Magistrates, 453, 461.
Quarter Sessions of the Peace, 325, 342, 350, 353, 367, 429.
Hoople, John, 758, 775, 777, 779.
Hopkins, Daniel, Fee for report on Petition, 709.
Hopkins, Thomas, 126, 127, 129.
Horne and Todd, 726.
Horned Cattle and Horses, Regulations *re* running at large, 87, 89, 122, 123, 194.
Horner, Mr., 29, 32, 37, 38, 39, 40, 42, 44, 46, 48, 49, 50, 52, 71, 72, 74, 87, 117, 119, 124, 146, 147, 148, 152, 153, 154, 167, 168, 172, 173, 174, 175, 176, 179, 180, 182, 183, 184, 186, 189, 190, 193, 225, 268, 269, 270, 273, 281, 287, 288, 289, 290, 291, 294, 295, 297, 299, 301, 306, 307, 310, 311, 312, 314, 315, 316, 320, 322, 323, 324, 325, 328, 340, 342, 344, 346, 347, 348, 350, 352, 353, 355, 356, 358, 363, 365, 366, 368, 369, 370, 371, 373, 375, 376, 377, 378, 381, 382, 383, 384, 385, 386, 387, 391, 393, 394, 396, 397, 398, 400, 402, 405, 410, 411, 422, 425, 455, 456, 459, 460, 464, 468, 470, 471, 472, 475, 477, 478, 479, 531, 535, 537, 538, 544, 545, 547, 554, 555, 556, 557, 558, 560, 562, 563, 565, 573, 574, 575, 577, 581, 582, 586, 593, 597, 598, 600, 608, 609, 610, 613, 619, 620, 621, 622, 624, 627, 629, 631, 632, 633, 635, 637, 638, 644, 647, 648, 649, 650, 664, 665, 666.
Horner, Samuel, 136.
Horse Maiming, The King vs. R. Jeffers, 706, 709.
Horse Stealing, The King vs. Timothy Glyn, 718.
The King vs. Robert Hayes, 704.
The King vs. James Hunt, 703, 720.
The King vs. P. H. Matheson, 718.
The King vs. P. Mattison, 703.
The King vs. D. Sullivan, 704, 706, 709.
Horses, Regulations *re* running at large, 87, 89, 122, 123, 194.
Horton, Caleb, 715.
Horton, Luther, 136.
Horton, Michael, 715.
Horton, Samuel, Sr. and Jr., 715.
Hough, Isaac, 752.
Hough, John, 719.
Houghenett, Michael, 745, 758.
Houghton, School, Township of, 35.
House of Assembly, 2.
Accommodation in, 6, 158, 187, 209, 210.
Clerk of (Grant Powell), 164, 187, 191, 193, 197, 277, 424, 426, 544, 548, 648, 684, 685.
Members of, Bill *re* resignation, 556.
Members' wages, 347, 622, 629.
Newspapers provided for Members, 225, 450.
Pew for Members, 87.
Qualification of persons eligible for election to, 64, 161, 167, 195.
Hovey, John, 136.
Howard, James and John, Petition of, 86.
Howard, P., 736.
Howard, Peter, 752.
Howard, Stephen, Esq., Clerk of the Peace, 178.
Howard, Stephen, 715.
Howe Island, 140.
Howell, Daniel, 537, 542.
Howit, W., 737.
Hoyle, John, 751.
Hudson's Bay, 142.
Hudson's Bay Co., 589.
Hudson's Bay, Port on, 589.
Huff, Paul, 751, 773.
Huffman, Joseph, 774.
Hughs, William, 773.
Huntley Township, part of County of Carleton, 464.
Hull, General, 96.
Hungerford, Tubor, 136.
Hunt, James, 703, 704, 720.
Hunt, Joseph, 752, 775.
Hunter, Lt.-Gen. Peter, 763, 771.
Huron, Lake, Trading Posts on, 110.
Hynes, 706.
Hynes, John, 704.

I

Immigration into Province, 388, 399, 587, 600.
Imperial Parliament, *re* Quebec Claims. 103, 108, 109, 110.
Imports, proportion of duties on, 733.
Imports from the United States, 9, 81, 106, 559, 560, 625, 626, 634, 635, 640, 642-644, 645, 647, 648, 662, 668, 687, 688.
Incorporated Militia, 225, 226, 293, 298, 299, 300, 556, 563, 601, 610, 611, 613, 624.
Incorporation of Townships of Bayham and Malahide, 447.
Indian Goods, *re* smuggling, 462; relaxation of duties on, 463, 477.
Indian Concession, Township of Haldimand, 222.
Indian, Charles, charged with murder, 705, 724; warrant of respite, 708.
Indian Tribes in Province, *re*, 555.
Indian Nations on Grand River, 534.
Indian Protection Bill, 346, 348, 349, 351.
Indians, Mississagua, 141.
Indians, Six Nations. Report on Petition, 711.
Indians, *re* Regulation of sale of Spiritous Liquors to, 155, 159, 165, 167, 179, 279, 282, 284, 285, 286, 341, 346, 349, 371.
Indictments, fee for drawing, etc., against: John Anderson, 715; Arnold, 706, 709, 711, 713; Wm. Asher, 706; Isaac C. Balcom, 719, 720; George Book, 715; Jacob Book, 715; Wm. Burchill, 704, 721; Henry Carpenter, 115; John Caswell, 704, 722; Patrick Castley, 718; Charles, an Indian, 705, 721; —— Clark, 705; John Clark, 721, 724; Peter Cornelius, 716; Patrick Costley,

703; Daniel Croswaltie, 116; Thomas Cutler, 703, 718, 719; Isaac Dean, 716; John Diffy, 704, 720; Edward Dunn, 706, 724; Dyer, 704, 722; Eaton, 703; Oliver Eaton, 719, 720; Fantan, 705, 723; Farrar, 703, 718; Foulk, 703; John Franklin, 705, 724; Gartey, 705, 722; Timothy Glyn, 718; I. Green, 704, 720; M. Green, 706; Samuel Griffiths, 705, 722; Roderick Grooms, 715; Charles C. Haskill, 715; Robert Hays, 704; John Heynes, 721, 722, 724; Jed. Irish, 706; Jamah, 705, 723; R. Jeffers, 706; A. Johnston, 706, 725; Edward Johnston, 724; Ira Kellog, 709, 714; Kemp, 706, 709, 711, 712; James Kerr, 707, 712; Luther King, 709, 715; George Kingsley, 705, 725; Knox, 703; James Knox, 719; James Lanagan, 705, 723; William Lard, 705, 724; Jacob S. Lawyier, 716; Loyer, 706; Garret Lloyde, 711; Mary Lossee, 704, 721; A. McArthur, 705, 721; McBride, 706; Amanda McBride, 712; David McBride, 712; McCartney, 705; Agnes McCartney, 705, 723; Robert McCartney, 723; William McCraig, 716; Dinah McCurdy, 715; C. McGrath, 719; McMahon, 706; James McMasters, 716; McNally, 707, 709; Barney McNally, 713; Archibald McNeil, 724; Mahar, 706; P. Matthison, 703, 718; Mercy, 706; Angel Mercy, 712; William Miller, 716; Charles Montague, 715; J. Mucklehone, 706; Joseph Nash, 715; O'Balcon, 703; Daniel O'Reilly, 715; William Orr, 705, 718, 723; Nathan Osborne, 710,, 714, 715; T. Philipson, 703, 719; Phillips, 705; Noah Phillips, 718; John Quick, 706, 712; G. Rice, 705, 722; Nathan Roberts, 715; Patrick Ryan, 704, 722, 723; Sanagan, 704; Shawaneskiskie, 715; Mary Sheelon, 706; Richard Short, 704, 722; Simmerman, 707; Matthias Simmerman, 712; J. Stalker, 705, 723; Thomas Staples, 704, 721; Arba Stimson, 709, 714; Martin Stotenborough, 709; D. Sullivan, 704, 720; Abijah Tomkins, 713; Elijah Tompkins, 709; Toole, 707, Peter Vancott, 704, 722; Owen Wessels, 709, 713; Williams, 716; John Wills, 715; Young, 705.
Ingersoll, Charles, 466, 474, 624.
Inland Navigation Acts, etc., 159, 212, 215, 218, 219, 266, 366, 400, 430, 620, 636, 648, 652, 664, 686.
Inn Keepers, Licenses to, 9, 78, 546, 554, 556, 686.
Innis and Grant, 749.
Innis, Robert, 311, 316, 341.
Innisfil Township, part of County of Simcoe, 465.
Insolvent Debtors, *re* maintenance, etc., 124, 150, 155, 165, 195.
Bill for relief of, 317, 342, 356, 357, 358, 361.
Dist. Gaol, 277, 278, 317; York Gaol, 464.
Petition of Brockville Gaol, 464; Home
Inspector General, 79, 80, 81, 114, 454.
Acting (J. Scarlet), 693, 694, 696, 697, 700, 702, 708, 713, 716, 725.
General's Office Accounts, 375.
General, fee for opinion of *re* Collector's fees, 710.
Of Provincial Accounts (John McGill), 731, 732, 733, 741, 747, 748, 755, 756, 757, 762, 766, 772, 773, 775, 781.
Of Public Accounts, J. Baby, 693, 694, 698, 699, 701, 703, 714, 717, 727, 761.
Inspector, Johnstown District (Oliver Everts), 572, 578, 587.
Inspectors, District, 566.
Money in hands of, 454.
Intercourse Amendment Bill, 159, 161, 164, 397, 399.
Bill, 529, 530, 535, 543, 546, 588, 686.
with foreign countries, 439, 440.
with the United States, 257, 258, 376, 391, 397, 399.
Internal Navigation Acts, etc., 214, 218, 222, 271, 282, 362, 619, 624, 629, 631, 639, 673, 687.
Navigation Commissioners of, 478, 538, 595, 602.
Revenue of Province, 3, 79, 109, 390.
Intestate Estates, 53, 66; Bill *re*, 534, 564.
Ireland, 59.
Irish Creek Bridge, 575, 640, 687.
Irish, Jed., 706.
Isle of Man, 60.

J.

Jacob, I. L., 777.
Jacks, William, 699, 701.
Jamah, 705, 723.
James' Bay, 589.
James, James, 222.
Jarvis, Samuel P. (Clerk of the Crown in Chancery), 29, 30, 224, 448.
Jarvis, Wm., secretary, 144.
Jarvis, William, Secretary of the Province, 733, 748, 749, 750, 752, 755.
Jarvis, William, License issued by, 752.
Java Township, part of the County of Simcoe, 465.
Jeffers, R., 706.
Jeffers, Richard, Fee on Patent of pardon for, 697, 698, 709.
Jefferson County Bills, 331, 333.
Jersey, 60.
Johnston, A., 706, 725.
Johnston, Edward, 724.
Johnston, J., 770.
Johnston, James, 751.
Johnston, John, 767.
Johnston, Thomas, 769.
Johnstown, proposed Canal near, 514.
Johnstown District, 48, 53, 54, 228, 304, 551, 587.
Assize Accounts, 703, 718.
Re Bridge, 328, 344, 367, 368, 372, 384, 453.
Re Bridge and Gaol Bill, 547, 575, 640, 687.

Collector of Customs, L. P. Sherwood, 732, 761.
Crown Office Accounts, 699, 700.
Lands forfeited, 221.
Petition of Grand and Petit Juries, 552.
Petition *re* Jail, 447.
Petition of prisoners confined in jail, 459, 464.
Petition of inhabitants, 551.
Petition of Oliver Everts, Inspector, 572, 578, 587.
Registration of Commissions of the Peace, etc., 695, 696, 697, 698, 709, 711.
Shop and Tavern Licenses issued, 753.
Joint Address on Commercial relations with Lower Canada, 6, 166, 168, 170, 274.
Address on Commissioners appointment, 170, 171, 174, 176.
Committee, 97, 318, 406.
Committee Room, 162, 188.
Legislature, 240, 244.
Report on financial concerns with Lower Canada, 159, 168.
Jones, A., 734.
Jones, C., 792.
Jones, Charles, 657, 776.
Jones, Daniel, 753, 758.
Jones, E., 740, 745, 768.
Jones, Ephraim, 758, 771.
Jones, John, 750.
Jones, Marshall, 136.
Jones, Mr., 86, 275, 308, 614.
Jones, Peter, of Barton, 363, 366.
Jones, Mr. (of Grenville), 27, 28, 29, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 50, 52, 53, 54, 55, 56, 63, 64, 65, 66, 70, 72, 73, 76, 78, 81, 83, 85, 87, 88, 89, 90, 91, 115, 116, 117, 119, 122, 123, 124, 125, 144, 145, 146, 148, 149, 151, 152, 154, 155, 159, 160, 162, 165, 166, 167, 168, 171, 173, 174, 175, 176, 177, 179, 180, 182, 183, 184, 185, 188, 189, 190, 191, 210, 211, 212, 213, 218, 219, 222, 223, 224, 225, 268, 269, 270, 271, 272, 273, 274, 275, 278, 281, 282, 283, 285, 287, 289, 290, 291, 292, 293, 294, 297, 298, 303, 304, 305, 306, 307, 308, 310, 311, 312, 313, 314, 315, 316, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 340, 341, 342, 343, 344, 346, 347, 350, 352, 354, 355, 357, 358, 359, 360, 363, 438, 440, 441, 444, 447, 449, 450, 451, 452, 453, 455, 456, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 470, 471, 472, 474, 475, 477, 478, 479, 480, 481, 482, 529, 530, 531, 532, 534, 535, 536, 537, 538, 539, 540, 541, 548, 552, 553, 554, 555, 557, 558, 560, 561, 562, 563, 565, 572, 573, 574, 575, 577, 578, 579, 580, 581, 582, 584, 585, 586, 587, 588, 589, 590, 591, 593, 595, 597, 598, 599, 600, 601, 602, 604, 605, 609, 610, 613, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 629, 630, 631, 632, 633, 634, 636, 637, 642, 645, 647, 648, 649, 650, 663, 664.
Jones, Mr. (of Leeds), 26, 31, 32, 34, 36, 37, 38, 39, 40, 42, 43, 44, 46, 48, 49, 50, 52, 53, 54, 55, 56, 65, 66, 67, 68, 69, 70, 72, 73, 74, 77, 83, 85, 86, 87, 89, 90, 91, 186, 218, 225, 268, 269, 271, 272, 273 276, 280, 281, 285, 286, 287, 290, 291, 292, 293, 297, 298, 299, 300, 301, 303, 304, 306, 307, 310, 311, 312, 314, 315, 316, 318, 319, 320, 322, 323, 324, 325, 328, 341, 342, 343, 344, 347, 348, 349, 350, 351, 352, 354, 355, 356, 358, 359, 360, 363, 364, 365, 366, 367, 368, 370, 371, 372, 373, 375, 376, 377, 378, 380, 382, 383, 384, 385, 386, 387, 388, 391, 392, 393, 394, 396, 397, 398, 399, 400, 402, 405, 439, 444, 446, 447, 449, 450, 452, 453, 455, 456, 460, 463, 468, 470, 471, 472, 474, 475, 477, 478, 479, 480, 529, 531, 534, 537, 538, 539, 540, 541, 542, 545, 547, 549, 551, 552, 553, 554, 555, 556, 557, 560, 562, 563, 564, 565, 572, 573, 574, 575, 577, 578, 579, 581, 583, 584, 585, 586, 588, 589, 591, 593, 594, 596, 597, 598, 599, 600, 602, 604, 605, 608, 610, 611, 613, 615, 616, 617, 620, 621, 622, 623, 624, 626, 628, 629, 631, 632, 633, 637, 642, 644, 646, 647, 648, 649, 650, 665, 671, 679, 680.
Joseph, B., 734.
Journals of the House of Assembly of U. C. from November, 1823, to January, 1824, 433.
Journals of the House, 274, 277, 283, 284, 286, 293, 646.
Judges, Travelling expenses, 404, 419.
Judicial Courts, 146.
Jurisdiction Bill, 214, 271, 272, 286, 293.
Extension of Probate and Surrogate Courts, 604.
Jurisprudence, system of, 252.
Justice, Administration of, 3, 12, 27, 29, 54, 60, 97, 109, 168, 185, 188, 192, 233, 236, 277, 283, 298, 303, 311, 364, 375, 385, 399, 404, 405, 419, 431, 460, 477, 568, 608, 634, 646, 687.
Justice, Courts of, 197.
Justice of the Peace, Regulation of Fees, 393, 420.

K.

Keeler, Benjamin, 136.
Keeler, Herman, 136.
Kelburn, D., 735.
Kellog, Ira, 735.
Kelly, Martin, 735.
Kemp, 706, 709, 711, 712.
Kemp, John, 752, 774.
Kemp, Simon, 710.
Kempenfeldt Bay, 551.
Kendrick, Lt. Duke William, 270.
Kendrick, Susanna, Petition of, 215, 270, 289, 371.
Kennedy, A., 769.
Kennedy, Allan, 737.
Kensela and Degraff, 774.
Kent County, *re* Name, Boundary, etc., 142.
Representation, 143.

Kent, William, 750, 774.
Kerby, John, 774.
Kerr, James, 707, 712.
Kerr, Mr., 3, 5, 26, 28, 29, 32, 36, 37, 39, 40, 42, 43, 44, 46, 48, 49, 50, 52, 54, 55, 56, 63, 66, 68, 72, 74, 87, 115, 117, 123, 124, 126, 148, 152, 153, 157, 159, 166, 167, 168, 174, 176, 177, 179, 180, 183, 185, 189, 190, 191, 193, 200, 207, 211, 218, 273, 279, 281, 286, 288, 289, 290, 293, 294, 295, 297, 299, 302, 305, 306, 307, 310, 311, 314, 315, 318, 320, 321, 323, 324, 325, 328, 342, 343, 344, 347, 348, 350, 351, 352, 353, 354, 355, 357, 358, 359, 360, 363, 367, 368, 369, 370, 373, 374, 378, 381, 382, 383, 384, 385, 386, 387, 388, 392, 394, 396, 398, 402, 405, 412, 415, 422, 425, 450, 452, 453, 455, 456, 460, 461, 464, 468, 471, 473, 475, 477, 578, 579, 581, 530, 531, 535, 536, 537, 538, 539, 541, 542, 545, 547, 553, 554, 555, 556, 557, 560, 562, 563, 565, 572, 573, 574, 575, 577, 578, 581, 583, 584, 585, 586, 588, 590, 599, 600, 602, 603, 606, 608, 610, 613, 617, 618, 624, 626, 635, 636, 637, 638, 647, 648, 650, 652, 665.
Kerr, William J., 630.
Kibber, Belial, 136.
Kilburn, James, 753, 758.
Kimmerly, Andrew, 751.
Kincade, I., 718.
King, John, 777.
King, Luther, 709, 713.
King Township, part of County of York, 465.
King's Bench, Court of, 75, 76, 87, 123, 147, 154, 157, 159, 163, 168, 169, 194, 216, 288, 395, 412, 416, 417, 418, 420, 543, 564, 585, 588, 591, 604, 605, 610, 622.
King's Bench, Reports of Court of, 342, 379, 395, 396, 399, 406, 429, 431.
Kingsley, George, 705, 714, 725.
Kingsley, Joseph and Co., 750.
Kingston, American vessel seized at, 667.
Bank Bill, 153, 159, 160, 161, 593, 604, 606, 615, 616.
Bank Charge for printing matter *re*, 726.
Bank Commissioners Bill, 339, 344, 351, 363, 364, 366, 382, 383, 413, 430, 466, 537, 539, 564, 688.
Bank Petition for Incorporation of, 73, 90, 91.
Bank (Pretended of Upper Canada), 452, 459, 464, 466, 467, 468, 537, 603, 615, 616, 632, 633, 634, 688.
Bank Report of Committee on Banking Institutions, 328-339.
Banking Association, Petition of, 605, 606.
Collector of Customs, 732, 733, 761.
Collector of Customs, *re* seizure of goods, 708.
Collector of Customs, Joseph Anderson, Esq., 732, 733, 761.
Crown Office Accounts, 700.
Gaol and Court House, 156, 174, 185, 195.
Gaol Fee for writ to liberate John McDonell, et al, 711.
Letter rates to York, 61. Post House, 62.
Libel published in Kingston *Chronicle*, 193, 219, 268.
Libel published in Upper Canada *Herald*, 451, 452, 469, 479.
Petition of Thomas Dalton and others, 469, 572, 587.
Petition of Thomas Markland and others, 530, 535.
Police Laws, 535, 578, 590, 594, 596, 618, 622, 623, 673, 679, 680, 688.
St. George's Church, Petition of Rector and Church Wardens, 304, 306, 365, 398, 430.
Town Limits, 535.
Kirby, Major James, 556, 563, 601.
Kirby, John, 752.
Kirkpatrick, I., 726.
Kitley Township, 417. Lands forfeited in, 221.
Knox, et al, 703.
Knox, James, 719.
Knox, John, 750, 774.
Koughnette, Michael, 779.
Koyle, John, 773.
Kyle, Feltie, 773.

L.

Labille, J., 742.
Lachine, 522.
Canal, 514, 524.
Rapids, 521, 524.
Laferty, 749.
Lafleur, Michael, 735.
Laing, J., 736, 743, 744, 745, 746.
Laing, James, and Co., 777.
Lake Erie, 142. Canal between Hudson River and, 516.
Huron, Trading Posts on, 110.
Ontario, 105. To Burlington Bay Canal, 289, 409, 416, 430, 461, 564, 593, 617, 629.
St. Francis, 523.
Simcoe, Road from Lake Ontario to, 312.
Superior, Trading Posts on, 110.
Lake, John, 449, 450, 452.
Lanagan, Peter, 722.
Lanark County, Representation, 663.
Townships composing, 464.
Township, part of County of Lanark, 464.
Lands for Militia Men for service, 363, 372, 373, 374.
Registration of Deeds, etc., 398.
Surveyors, Ordinance *re*, 347, 348, 358, 429.
and Tenements in Execution *re* sale of, 4, 27, 38, 284, 288, 322, 453, 468.
Landry, Gabriel, 749.
Lane, Thomas, 750, 773.
Langan, P., 745.
Lansdown Township, Lands forfeited, 221.
Larceny, The King vs.:—
William Asher, 706; Isaac C. Balcom, 719, 720; George and Jacob Book, 715;

Wm. Burchell, 704; Patrick Castley, 718; Patrick Costley, 703; John Diffy, 704, 720; Dyer and Sanagan, 704; Fantan, 705, 722; Isaiah Green, 720; Caleb Horton, 715; Michael Horton, 715; Samuel Horton, Sr., and Samuel Horton, Jr., 715; Jed. Irish, 706; Jamah, 705, 722; George Kingsley, 705; Peter Lanagan, 722; A. McArthur, 705, 721; Amanda McBride, 712; McCartney and Young, 705, 723; McMahon, 706; Patrick Mahan, 712; Angel Mercy, 706, 712; J. Mucklehone, 706; O'Balcom, 703; Nathaniel Osborne, 715; William Orr, 705, 723; John Quick, 712; G. Rice, 705, 723; Nathan Roberts, 715; Patrick Ryan, 704, 722; Abijah Tomkins, 713; Elijah Tomkins, 709.
Lapansie, B., 768.
Lard, William, 705, 724.
Lariviere, Jos., 734.
Larnger, Adam, 220.
Larose, William, 776.
Larrie, William, 743.
Lasher, Henry, 30, 31.
Latourelle, L., 746.
Law, John, 280.
Law Officers of the Crown, 244, 257.
Law Report Bill, 324, 341, 342, 344, 379, 380, 399, 406.
Law Society, 40, 43, 44, 45, 46, 47, 216, 288, 379, 406.
Lawe, George, 754, 763.
Laws, Amendment of, 146.
Laws of Province, Expiring, 204, 208, 209, 212, 269, 270, 271, 438, 440.
Lawrence, Hammon, 749.
Lawrence, J., 737.
Lawrence, S., 221.
Lawyier, Jacob S., 716.
Leaberry, William, 749.
Lee, David, 752.
Lee, Francis, 319, 323, 371.
Lee, John, 605.
Lee, Mr. (William, Esq., Gentleman Usher of the Black Road), 2, 187, 191, 193, 203, 282, 424, 426, 428, 599, 684, 685.
Leech, Matthew, 587, 594.
Leeds County, name, boundary, etc., 140. Representation, 143.
Leeds Township, 86. Lands forfeited in, 221.
Lees, John, 739, 771.
Leframbois and Nicoll, 746.
Legislative Council, 2, 63, 75, 147, 149, 150, 152, 153, 154, 157, 161, 222, 238, 239, 242, 243, 244, 245, 271, 274, 282, 285, 288, 289, 290, 291, 292, 298, 301, 302, 304, 305, 306, 309, 310, 312, 313, 314, 316, 318, 320, 321, 325, 341, 342, 347, 353, 355, 356, 360, 361, 364, 365, 369, 371, 372, 373, 374, 375, 376, 379, 380, 381, 382, 383, 384, 385, 392, 394, 395, 396, 398, 399, 400, 401, 404, 405, 406, 407, 411, 412, 413, 416, 417, 418, 419, 420, 425, 426, 428, 432, 435, 436, 437, 471, 480, 529, 534, 537, 540, 542, 543, 545, 546, 547, 548, 549, 551, 553, 557, 561, 562, 575, 576, 578, 582, 584, 588, 591, 592, 593, 594, 596, 599, 601, 603, 604, 606, 613, 615, 616, 617, 621, 623, 624, 625, 634, 637, 640, 647, 650, 651, 652, 661, 662, 664, 666, 668, 669, 670, 672, 673, 674, 676, 677, 678, 679, 680, 681, 682, 684.
Legislative Council, Clerk of (John Powell), 187, 190, 193, 424, 426, 684, 685.
Legislative Council, Contingent accounts, 682.
Legislature, Offices and buildings of, 4.
Legislative Union (see U. C.).
Legislature, Proclamation *re* meeting of, 1, 2, 201, 202, 435, 436.
Leith and Co., 743, 749.
Leith, Duff and Co., 749, 751.
Leith, Jameson and Co., 739, 742, 743, 744, 745, 746.
Lennox, Mass., 126, 128, 131, 132, 134, 146.
Lenox County, *re* name, boundary, etc., 140. Representation, 143.
Lenox and Addington, Petition *re* solemnizing matrimony, 48.
Petition of Inhabitants, 118.
Petition contesting election of Barnabas Bidwell, Esq., 4, 7-9, 31, 36, 37, 115-116, 147, 148, 149, 152; Do. *re* Matthew Clark, Esq., 215-217, 273, 274, 306, 315; Do. *re* George Ham, Esq., 441, 444, 450, 452, 539; *re* election of Marshal Spring Bidwell, 215-217, 313, 314, 315, 441, 442, 443, 444; Trial of election of Barnabas Bidwell, 124, 125, 145, 146, 147, 148, 149, 152, 153; Process to issue, 455; Indenture of Returning Officer, 30, 224; *re* Returning Officer, 215, 441, 539; Writ of Election, 29-30, 153, 215, 216, 223, 224, 316, 441, 447-449, 539; Fee for same, 697, 698; Libel *re* proceedings of House on Petition, 193.
Re Separation of Counties, 449, 450, 451, 465, 481, 542, 559, 562.
Members presented, 222, 437.
Townships to compose Counties, 465.
Leprohon, J.P., 738.
Leslie, John, 696.
Lett, Herman, 336.
Letters, conveyance of, 4, 26, 56.
Letters and packets, rates on, etc., 60-63.
Levant Township, part of County of Lanark, 464.
Lewellen, R., 736, 738.
Leymour, Benjamin, 776.
Libel, The King vs. Garret Lloyd, 706, 711.
In *re* Kingston *Chronicle*, 193, 219, 268.
Upper Canada *Herald*, Kingston, 452, 453, 469, 479.
Observer, York, 289, 290.
Liberty of the Subject, 40.
Librarian and Keeper of Records (Geo. Mayer), 197, 432.
Library of Legislature, 482, 637, 640, 644, 665, 672, 673, 680.
Library, Sunday School, Petition *re*, 292. Brockville, 302. Cobourg, 301.
Licenses, Account from Secretary of Province, 733, 748, 774.

Ale Houses, 277, 278, 291, 300, 301, 312, 313, 352, 360, 429.
Auctioneers, 9, 10, 79, 81, 269, 270, 305, 319, 429, 454.
Distillers, 9, 78, 269, 270, 566.
Hawkers, Pedlars and Petty Chapmen, 9, 78, 81, 269, 270, 305, 317, 319, 320, 340, 429, 454, 566.
Inn Keepers, 9, 78, 546, 554, 566, 686.
Issued in Eastern District, 757, 775.
Issued in Home District, 752.
Issued in Johnstown District, 752, 775.
London District, 775.
Midland District, 752, 774.
Niagara District, 750, 774.
Shop, 9, 78, 81, 454, 474, 482, 541, 556, 558, 566, 579, 580, 581, 583, 590, 591, 592, 603, 688.
Still, 9, 69, 78, 454. Issued for Stills, 733, 758, 751, 773.
Western District, 749, 775.
and Port Duties, General statement of Receipts and Payments, 762.
Lieutenant-Governor, Funds advanced by, 9, 26, 64, 67, 68, 69, 82, 194, 364, 430, 604, 618.
Lieutenant-Governor, Messages from, 45, 82, 91, 158, 219, 220, 225, 262, 285, 308, 350, 361, 459, 462, 483, 550, 555, 595, 604.
Lieutenant-Governor's Office Accounts, 277, 375, 694.
Light House Duties, 81.
Light Houses, *re* erection and repair, 153, 167, 180, 559, 560, 625, 626, 635, 640, 641, 643, 644, 645, 647, 648, 668, 687.
Lincoln County, *re* name, boundary, etc., 141, 142. Representation, 143.
Lincoln County, Representation by Freeholders *re* Provincial Union, 294, 295, 296.
Liquors, Spirituous, Bill, etc., prohibiting sale to Indians, 155, 159, 165, 167, 179, 279, 282, 284, 285, 286, 341, 346, 349, 371. Restraint Bill, 167.
Liquors, not spirituous, *re* restraining sale of, 349, 352.
Lloyd, 706.
Lloyd, Garret, 711.
Loan, negotiation of in Province for discharge of arrearages in the Militia Pension List, 3, 5.
Loan Bill, 384, 400, 401, 403, 405, 413, 416, 431.
Loan Bill, Midland District, 549, 565, 572, 573, 574, 575, 588, 589, 593, 687.
Loan for purposes of opening a passage into Burlington Bay from Lake Ontario, 409.
Loan for remuneration for sufferers from War with the United States, 279, 282, 396, 405, 413, 638, 639.
Lobo Township, Petition of Inhabitants, 34, 461.
Lockwood, J, 221.
Loder, Job, 751, 775.
London, England, 59.
London District, Assize Accounts, 715.
Crown Office Accounts, 700.
Fiats for Commission of Assize, 711.
Gaol and Court House, 270, 299, 308, 309, 314, 316, 318.
General Quarter Sessions, 34, 270.
Incorporation of Bayham and Malahide, 447.
Lands forfeited, 222.
Licenses issued in, 775.
Machinery for dressing Hemp for use of inhabitants, 482, 483.
Petitions, Inhabitants of Counties in, 34, 39, 73, 461, *re* road, 54. Magistrates and others, 215; John Matthews and others, 457.
Population returns, *re*, 460.
Sheriff, Abraham A. Rapelge, Esq., 323, 348, 349.
Long Beach, 141.
Lords Commissioners of His Majesty's Treasury, 33, 109, 248, 267, 268.
Losee, Joseph J., 307, 312, 395.
Losee, Mary, 704, 721.
Lottridge, John, 773.
Loucks, Adam, 777.
Loucks, Richard, 743, 745, 775, 779.
Loucks, W., 768.
Loucks, William, 734, 739, 742, 743, 757, 775, 776, 777.
Louth Township, Petition of Inhabitants, 473, 479, 629.
Lovekin, Richard, 164, 191.
Lower Canada, Address *re* commercial relations with, 6, 112, 120, 121, 124, 161, 163, 166, 168. *Re* appointment of Commissioner to convey the same to His Majesty, 170, 171, 174, 176, 181.
Arbitrator for. See J. Hale.
Arbitrator, Remuneration or compensation of, 609, 621, 628, 630, 631, 646, 687.
Arbitrators, appointment of, etc., 230, 231, 232, 233, 246, 247, 250, 267. *Re* Award of, 582, 594, 610. Report of, 484-528, 542, 544.
Arbitrators, decision *re* claims, 203, 205, 208.
Arrearages due from, 42, 43, 45, 50.
Commercial relations with, 6, 162, 184, 194, 325, 346.
Commissioner, *re* appointment of in connection with financial relations, etc., 162, 170, 171, 174, 175, 176, 183, 194, 195, 204. Letters from *re* appointment, 181, *re* affairs of Province 243-252, 257-268, 345, 657.
Commissioners, 3, 5, 6. Remuneration of, 64, 68, 71, 73, 194. Report, 9, 10-25. Resolutions in House *re* same, 50-51. Report of Joint Committee *re*, 96-115, 119, 184. Selection of, 103.
Division of Quebec into Upper and, Proclamation, etc., *re*, 139, 247, 248, 525.
Financial relations and interests, 3, 5, 41, 49, 53, 54, 55, 81, 119, 120, 121, 122, 123, 124, 159, 160, 161, 163, 166, 168, 170, 171, 174, 176, 325, 346, 364, 428.
Jurisdiction *re* import duties, 110, 112.

Legislative Union with, 203, 237, 300, 304, 305, 310, 311, 318. Representation *re* proposed Union by inhabitants of Lincoln, 294, 295, 296. From inhabitants of Wentworth, 287.
Lieutenant Governor, Sir Robert Milne, 733.
Lumber Duties, 410.
Mails, 62.
Public Accounts, 57.
Trade Act, Imperial, Report of proceedings of Arbitrators under, 458, 471, 483, 484-528. Award under, 582, 594, 610. Regulation of Trade under, 226-237, 272, 630, 631, 646, 687, 688.
Treasury of, 51, 253, 263, 610.
Union of Provinces Bill, Correspondence, etc., 237-268, 272, 365.
Voltigeurs of, 612.
Whiskey and Rum, *re* consumption of, 105.
General account of goods on which Duties are imposed by the Legislature of, which have passed Coteau du Lac, upwards, 734, 767, 776.
Loyalists, American, 97. U. E. List *re* persons desiring to have their names restored to, 354, 387.
Loyalty in American War, 39.
Lucas, U., 707.
Luifs, Frederick, 740.
Lumber, Duties on Lower Canada, 410. Export of, 106.
Lumsden, James, 425.
Luther Township, part of County of Simcoe, 465.
Lutheran Church, Minister of, 466, 474.
Lynch, James, 769.
Lyons, Ann, 774.

M.

McArthur, A., 705, 721.
McArthur, D., 734.
McArthur, Duncan, 767, 768.
McAuley, D., 737.
McAuley, Donald, 758.
McBeath, John, 556, 563.
McBride, 706.
McBride, Amanda, 712.
McBride, David, 712.
McBride, Hanna, 752, 775.
McBride, James, 715.
McBride, Jno., Representatives of the late, 795.
McBride, Mary, 750.
McCall, Hugh, 294, 304, 306.
McCallum, Peter, 333, 356, 366, 373.
McCartney, 705.
McCartney, Agnes, 705, 723.
McCartney, James, 718.
McCartney, R., 707.
McCartney, Robert, 723.
McCartney, Samuel, 723.
McCartney, Thomas, 723.
McCormack, Mr., 299.
McCraig, William, 716.
McCuaig, J., 737, 746.
McCurdy, Dinah, 715.
McDonald, Donald, 739, 752.
McDonald, J., 738, 767, 768, 769.
McDonald, John, 767, 769, 770.
McDonald, Ranald, 770.
McDonell, 710.
McDonell, A., Late Clerk of Assembly, 754.
McDonell, A., 335, 339, 734, 735, 736, 737, 738, 739, 746, 767, 768, 769, 770.
McDonell, Alex., 734.
McDonell, Alexander, 112, 210, 672, 768, 779.
McDonell, Alexander, Esq., Sheriff of District of Ottawa, 532, 537.
McDonell, Allan, 736, 737.
McDonell, Angus, 735, 744, 769, 780.
McDonell, C., 737, 770.
McDonell, D., 735, 737, 767.
McDonell, Daniel, 723.
McDonell, Donald, 721, 769, 774.
McDonell, F., 734, 767.
McDonell, Farquhar, 736.
McDonell, H., 734, 736.
McDonell, Hugh, 735, 737, 743, 758, 775, 776.
McDonell, J., 768, 769, 770, 778.
McDonell, James, Fee on Patent of 100 acres in Hamilton, 695.
McDonell, John, remission of imprisonment, 711.
McDonell, John, 723, 734, 738, 746, 757, 767, 769, 774, 775, 779.
McDonell, John, Esq., 272, 275, 277, 278.
McDonell, Miles, Fee for Report on Petition, 708.
McDonell, Mr., 3, 4, 7, 9, 25, 26, 27, 29, 32, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 48, 49, 50, 52, 53, 54, 55, 66, 72, 74, 87, 115, 117, 123, 124, 125, 146, 148, 152, 153, 157, 160, 162, 167, 168, 171, 174, 175, 176, 179, 180, 182, 183, 185, 188, 189, 190, 191, 193, 206, 207, 210, 211, 218, 224, 268, 269, 271, 273, 277, 281, 287, 290, 294, 295, 297, 306, 307, 310, 311, 312, 314, 315, 316, 320, 321, 322, 341, 347, 352, 355, 357, 369, 370, 378, 382, 383, 386, 387, 388, 391, 392, 393, 394, 397, 398, 400, 405, 409, 410, 411, 413, 416, 422, 425, 427, 439, 440, 444, 446, 450, 453, 456, 457, 460, 461, 463, 474, 475, 477, 478, 482, 531, 532, 535, 536, 537, 538, 539, 540, 541, 542, 544, 545, 546, 547, 549, 552, 553, 554, 555, 556, 557, 560, 562, 563, 564, 565, 572, 573, 574, 575, 577, 579, 583, 584, 585, 586, 588, 589, 591, 592, 597, 598, 600, 602, 605, 606, 608, 611, 617, 619, 620, 621, 622, 623, 629, 637, 640, 644, 650, 672, 681.
McDonell, Mr., of Ottawa District, 293.
McDonell, Sergeant, 750.
McDonell, Sheriff, Fee *re* instructions *re* seizure of timber, 708.
McDougald, A., 770.
McDougald, A. M., 767.
McDougald, J., 738, 740.
McDougall, Allan, 752.
McDougall, John, 757, 775, 777, 780.
McGawin, William, 751.

McGill, A. and Co., 746.
McGill and Co., 736, 737, 740, 742, 743, 744.
McGill, J. A., and Co., 734, 736, 739, 740, 742, 771, 776, 777, 778, 779.
McGill, John, 751.
McGill, John, Receiver-General, Upper Canada, 18; Annual Pension to Late Receiver-General Upper Canada, 42.
McGill, Hon. John, 592.
McGill, John, Inspector-General of Provincial Accounts, 731, 732, 733, 741, 747, 748, 755, 756, 757, 762, 766, 772, 773, 775, 781.
McGillis, Angus, 735.
McGillis, D., 769.
McGillis, J., 735, 737, 738.
McGillis, John, 767.
McGillivray, A., 746.
McGloghan, —, 768.
McGloghan, Wm., 735, 779.
McGrath, P., 719.
McGreen, A., 735.
McGregor, James, 749, 768.
McGregor, John, 749, 768.
McGruer, A., 769.
McInnis, John, 779.
McIntire, John, 744.
McIntosh, Angus, 749.
McIntosh, Daniel, 758.
McIntosh, John, 769, 770.
McIntosh, Mr., 592.
McIntosh, W., 737.
McIntosh, Wm., 769.
McKay, Duncan, 769, 770.
McKay, W., 734, 769.
McLaney, John, 752.
McLean, Allan, 10, 13, 22, 24, 25, 113, 115, 146, 177.
McLean, Archibald, 112, 395, 586, 657, 672.
McLean, John, 7, 30, 31, 215, 218, 224, 333, 469, 532, 537.
McLean, Hugh, 755, 764.
McLean, Mr., 474.
McLean, Mr. (of Frontenac), 146, 148, 152, 153, 157, 160, 165, 168, 172, 173, 174, 175, 176, 179, 180, 182, 183, 188, 189, 190, 191, 193, 299.
McLean, Mr. (of Stormont), 9, 28, 29, 32, 35, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 52, 54, 55, 56, 63, 64, 67, 71, 72, 74, 77, 81, 82, 85, 86, 87, 89, 90, 118, 120, 121, 122, 124, 125, 146, 148, 150, 151, 152, 153, 154, 159, 162, 163, 166, 167, 168, 171, 175, 176, 179, 180, 182, 183, 188, 189, 190, 191, 192, 193, 275, 278, 281, 283, 287, 289, 290, 291, 295, 297, 299, 304, 305, 306, 307, 308, 310, 311, 312, 314, 317, 319, 322, 323, 324, 325, 327, 340, 342, 343, 344, 346, 347, 348, 350, 352, 355, 358, 359, 363, 364, 365, 366, 368, 369, 370, 371, 372, 373, 375, 376, 377, 378, 380, 381, 382, 383, 384, 387, 388, 390, 391, 392, 393, 394, 396, 397, 398, 399, 400, 402, 409, 412, 413, 415, 416, 417, 419, 440, 444, 446, 452, 455, 456, 460, 463, 471, 472, 474, 475, 477, 478, 480, 528, 529, 531, 534, 536, 537, 539, 540, 541, 542, 543, 544, 545, 546, 547, 553, 554, 555, 556, 557, 558, 559, 560, 563, 565, 572, 573, 574, 577, 578, 580, 581, 582, 583, 585, 587, 588, 590, 591, 593, 596, 597, 598, 600, 601, 602, 608, 609, 610, 611, 617, 619, 621, 622, 623, 624, 626, 627, 628, 629, 637, 641, 642, 644, 645, 649, 650, 662, 665, 668, 679, 680, 681, 682.
McLean, Murdoch, 779.
McLean, Sheriff, 330, 331, 332, 333.
McLeod, A., 746.
McLeod, Alexander, 769.
McLeod, D., 734.
McLeod, Neil, 328, 334, 335.
McLeod, Norman, 734, 737.
McLeod, Mr., 330, 331.
McLellan, Keneth, 769.
McMahon, —, 706.
McMahon, Edward, 694.
McMasters, James, 716.
McMartin, John, 768.
McMartin, Mr., 9, 28, 29, 32, 36, 37, 39, 40, 46, 47, 48, 49, 50, 52, 53, 54, 55, 65, 66, 68, 69, 71, 72, 73, 74, 86, 87, 118, 124, 125, 145, 146, 148, 149, 151, 152, 153, 176, 180, 182, 183, 185, 188, 190, 193, 278, 478, 479, 534, 536, 537, 538, 539, 540, 541, 545, 547, 553, 554, 556, 557, 558, 560, 562, 563, 565, 572, 574, 577, 578, 580, 581, 582, 583, 584, 585, 586, 591, 592, 593, 597, 598, 600, 601, 602, 605, 606, 607, 608, 610, 611, 615, 617, 619, 621, 622, 623, 624, 629, 630, 631, 632, 635, 662, 665, 668, 681, 682, 685.
McMullan, A., 738, 746.
McMullan, D., 736, 767, 770.
McMullan, J., 780.
McMullan, John, 737.
McNab, Allan, Esq., 425, 426.
McNab, Allan, Sergeant-at-Arms, 187, 193, 461, 466, 609, 630, 631, 673, 674, 680, 681, 682, 684, 685.
McNab, Colin, Collector of Customs, Niagara, 732, 733, 761.
McNab, Simon, 752.
McNairn, J., 770.
McNally, —, 707, 709.
McNally, Barney, 713.
McNaughton, D., 768.
McNeil, Archibald, 724.
McNeil, Francis, 722.
McNeil, Hugh, Fee on Patent of 100 acres in Elizabethtown, 695.
McNeil, John, 769.
McNichol, Mr., 682.
McPhail, Alex., 735, 768.
McPhail, D., 734, 770.
McPhail, P., Charge for Binding Books, 693, 696, 702.
McPhee, A., 767.
McPhie, Hugh, 775.
McPherson, Wm., 743, 779.
McQueen, Wm., 746.
McTavish and Co., 739, 743, 744, 746, 771.
McTavish, Frobisher and Co., 771, 776, 777, 778.
McVagh, B., 737.
McVee, Benjamin, 753.

Macaulay, George, 448, 449.
Macaulay, J. B., Clerk to Commissioners *re* forfeited lands, 220, 222.
Macaulay, Jno., J. P., 469.
Macaulay, John, 219.
Macaulay, Jno., Secretary, 486, 490, 491, 492, 495, 499, 505, 506, 507, 508, 510.
Macedesly, Mr., advice *re* machinery for preparing Hemp, 483.
Machinery for dressing Hemp and Flax, 182, 195, 279, 282, 286.
Importation Bill, 282, 283, 286, 306, 307, 347, 356, 428.
Mackay, Donald, 740.
Mackintosh, Angus, 592.
Macklin, James, 750, 774.
Mador, B., 768.
Magee, Patrick, 723.
Mahan, Patrick, 712.
Mahar, 706,
Mahow, Louis, 779.
Mail, British, 62.
Maisonville's Mill, 142.
Maitland, A., and Co., 743.
Maitland, Sir Peregrine, 1, 2, 3, 5, 10, 27, 29, 30, 32, 33, 43, 49, 64, 75, 82, 85, 91, 92, 120, 146, 158, 161, 163, 169, 173, 192, 201, 202, 208, 212, 219, 220, 223, 224, 225, 226, 245, 251, 276, 285, 286, 300, 301, 308, 339, 344, 345, 346, 350, 353, 354, 361, 374, 404, 409, 414, 422, 426, 427, 435, 436, 437, 445, 447, 448, 458, 459, 461, 468, 470, 475, 482, 483, 484, 505, 544, 550, 555, 557, 595, 599, 611, 628, 649, 666, 669, 671, 676, 677, 678, 679, 685.
Malahide Township, 27, 34; Incorporation of, 447, 451; Petition of Inhabitants, 461.
Mallary, Benajah, 749.
Mallory, D., 221.
Malone, —, 707.
Malone, Joseph, 712.
Malory, Benjamin, 775.
Manslaughter, The King vs. George Baker, 721.
The King vs. Peter Vancott. 704, 722.
Map of Province, 28.
Mara Township, part of County of Simcoe, 465.
Maranda, J., 769.
March Township, part of County of Carleton, 464.
Marckle, H., 742.
Marfui, Francis, 775.
Market House, Petition for second, 46.
In town of Perth, 53, 54, 64, 67, 68, 69, 118, 194.
In town of York, 83, 87, 90.
Markham, Daniel, Paper Manufacturer, 446, 449.
Markham Township, part of Co. of York, 465; Lutheran Congregation in, 474.
Markland, George H., 112, 592, 657.
Markland, Thomas, Petition of, 68, 73, 86, 90, 279, 283, 381, 408, 530, 535; Shop and Tavern Licenses issued by, 752, 774.
Markle, 563.
Markle, H., 779.
Markley, Henry, 779.
Marriage Amendment Bill, 77.
Confirmation of, 116, 125, 147; Bill *re* 306, 319, 340, 342, 344, 403, 405, 458, 477, 534, 552, 553.
Illegal, The King vs. the Rev. William Smart, 719.
Petition of members and friends of the Methodist Episcopal Church, *re* privilege of solemnizing, 48, 54, 75, 91, 455, 469, 479.
Marryatt, Mr., 261.
Marsh, B., 738.
Mars, Louis de Coigne, Justice of the Peace, District of Montreal, 741.
Marshal, Mr., Solicitor-General of Lower Canada, 244, 252.
Marysburgh, Township of, 140, 141.
Mason, Pardon, 126.
Massachusetts Bay, Province of, 37.
Commonwealth of, 146.
State of, 8, 9, 37, 126, 134.
Master in Chancery (Mr. Boulton), 54, 63, 75, 82, 87, 118, 121, 122, 124, 149, 152, 157, 161, 162, 165, 166, 168, 169, 170, 171, 173, 179, 180, 185, 186, 188, 189, 193, 271, 285, 288, 302, 305, 306, 310, 312, 314, 322, 340, 355, 360, 367, 371, 375, 379, 382, 384, 396, 401, 403, 411, 413, 416, 418, 420, 471, 480, 529, 531, 534, 536, 540, 546, 554, 557, 575, 588, 593, 594, 601, 603, 615, 616, 621, 623, 625, 629, 632, 640, 646, 650, 662, 668, 673, 680, 681, 682.
Matchedash Township, part of County of Simcoe, 465.
Matilda Township, forfeited land, 220, 221.
Matilde Post House, 62.
Mattheson, P., 703, 718.
Mattheson, William, 718, 720.
Matthews, Abner, 751.
Matthews, John, 221.
Matthews, John and others, Petition, 457, 461.
Mattison, Nathan, 221.
Matton, J., 749.
Maxwell, Robert, 749.
Mayer, George, 197, 432.
Mealy, Patrick, 775.
Mears, Thomas, 272, 277, 278, 293.
Measures, Weights and uniformity of, 274, 275; Bill, 283, 288, 293, 302, 306, 321, 340, 360, 361, 365, 390, 398, 411, 430.
Medonte Township, part of County of Simcoe, 465.
Melancthon Township, part of County of, Simcoe, 465.
Meillieur, Joseph, 749.
Members of House, absent without leave, 312; Holding Crown Office, 71.
Newspapers provided for, 225, 450.
Re pew for, in Protestant Episcopal Church, 87.
Wages of 186, 347, 622, 629.
Writs for Election of, 347.

Members of the Legislature, Letter rates to and from, 683.
Merchandise, Duty on, 78.
Merchant, British, 109, 110.
Vessels, *re* Regulation of Trade, 664, 665, 667.
Mercy, 706.
Mercy, Angel, 712.
Mercy, Samuel, 136.
Merkinson, Kenneth, 737.
Merkley, Henry, 775.
Merklie, J., 736.
Merlin Township, part of County of Simcoe, 465.
Merrsellis, George, 771.
Messages, Precedents as to receiving, 589.
From Lieutenant-Governor. See Lieutenant-Governor.
Methodist Episcopal Church. Petition of friends and members *re* solemnizing marriage, 46, 48, 49, 54, 72, 75, 86, 91, 451, 455, 469, 479.
Petition for exemption from Militia Duty, 302.
Relief Bill, 84, 90, 115, 122, 125, 458, 475, 534, 535, 536, 537.
Society residing on Rideau River, 47.
Methune Township, part of County of Otonabee, 465.
Michaelmas Term, 298, 303, 340, 585, 591, 615, 688.
Michaels, M., 739.
Mickle, William, 749.
Middleton School, Township of, 35.
Middlesex, County of, Petition *re* Division, 27, 34, 35, 46, 47, 68, 73, 74, 457, 461; *re* Quarter Sessions and District Court, 637, 749.
Midland District, 144, 223, 269.
Assize Accounts, 704, 707, 721.
Crown Office Accounts, 700.
Division of, 554, 577, 585, 600.
Fiats for Commission of Assize, 711.
Formation of New County, 465.
Gaol and Court House, 156, 160, 165, 172, 173, 174, 185, 195, 546, 554.
Loan Bill, 549, 565, 572, 573, 574, 575, 588, 589, 593, 687.
Machinery for dressing hemp, for use of inhabitants, 482, 483.
Petition of Magistrates, 155, 541, 549.
Sheriff of, John McLean, 469.
Writ of Election, Lenox and Addington. 447.
Miles and Playter, 775.
Miles, James, Esq., 611, 623, 630, 637, 645, 663, 686.
Military Government of Province, 667.
Military Secretary's Office, 510.
Militia, Adjutant-General's Office, 80, 82, 83, 85, 90; Salary, 172, 175, 179, 182, 187, 195, 375, 376, 391, 392, 393, 411, 430.
Adjutant-General's Assistant, 172, 376, 582, 590, 602, 603, 606, 629, 688.
Arrears in pay, 578.
Duty, Petition for exemption from, 320.
Incorporated, 225, 226, 293, 298, 299, 300, 556, 563, 601, 610, 611, 613, 624.
Lands, 387.
Laws, 64, 67, 162, 166, 174, 175, 176, 189, 190, 195, 197, 219, 275, 313, 319, 320, 321, 355, 364, 429.
Men entitled to Lands for services in War with United States, 363, 372, 373, 374.
Pension List, 3, 5, 86, 91, 371.
Pensioners, 79, 86, 285.
York, 270.
Mill dam, protection asked for, 372.
Site, 576.
Street's petition *re*, 348.
Mille Roches, works at rapids, 524.
Miller, Andrew, 774.
Miller, Peter, Petition, 86, 91, 166; Relief Bill, 172, 173, 174, 195.
Miller, William, 716.
Millers, Petition of, Home Dist., 39, 46, 73.
Mills, 389.
Mills, Paper, 449.
Millward, George, 721.
Milne, Sir Robert; Lieutenant-Governor of Lower Canada, 733.
Minister of Lutheran Church, 466, 474.
Minors, Guardian of, 69.
Mississagua Indians, 140.
Misdemeanor, The King vs. Arnold and Kemp, 706, 709, 711; John Clark, 705, 724; Thomas Cutler, 703, 718, 719; Edward Dunn, 706, 724; Fouke, *et al*, 703; John Franklin, 705; Samuel Griffiths, 722; John Hynes, 704, 724; Mary Losee, 704, 721; McNally, 709; Noble Palmer, 724; James Philips, 724; Mary Sheelon, 706; Thomas Staples, 704; Arba Stimson, 709.
Mitchell, Forbes, 779.
Mitchell, Schill, 221.
Mohawk Village, 140.
Monaghan Township, part of County of Otonabee, 465.
Monahan, Anthy, 336.
Moneys advanced by the Lieutenant-Governor, 26, 64, 67, 69, 82, 194, 364, 430, 604, 618.
Mono Township, part of the County of Simcoe, 465.
Montague, Charles, 715.
Montreal, 24, 61, 103, 110; Mails, 62.
Committee of Trade, 657.
District, 741.
Monument to Sir Isaac Brock, Report of Commission, etc., 91-96, 144, 145, 146, 147, 651, 655.
Moore, Thomas, 721.
Moore, Thomas William, Agent for British Packets at New York, 694.
Moose River, 589.
Morden, John, 774.
Morden, Jonathan, 773.
Morgan, William, Estate of, 116.
Moriseau, P., 737.
Morris, Alexander, 547.

Morris, George, 296.
Morris, Mr., 28, 29, 31, 32, 35, 36, 37, 38, 42, 43, 44, 46, 47, 48, 49, 50, 52, 54, 55, 56, 64, 66, 67, 68, 71, 72, 74, 77, 81, 85, 87, 90, 204, 205, 206, 207, 210, 211, 214, 218, 219, 225, 268, 269, 271, 272, 273, 278, 279, 280, 282, 292, 295, 297, 299, 301, 302, 303, 304, 306, 307, 310, 311, 312, 313, 314, 315, 317, 318, 319, 320, 322, 323, 326, 327, 340, 341, 343, 344, 346, 347, 348, 349, 351, 352, 353, 355, 356, 358, 359, 360, 361, 363, 364, 365, 366, 368, 369, 370, 373, 375, 376, 438, 439, 440, 441, 444, 446, 447, 450, 451, 452, 453, 455, 456, 457, 459, 460, 461, 462, 463, 465, 466, 467, 468, 469, 471, 472, 473, 474, 475, 478, 479, 480, 481, 528, 529, 532, 534, 535, 536, 537, 539, 540, 541, 542, 544, 545, 546, 547, 549, 551, 552, 553, 554, 555, 556, 557, 558, 560, 561, 562, 563, 564, 565, 572, 574, 575, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 590, 591, 593, 594, 596, 597, 598, 599, 600, 601, 602, 603, 604. 605, 606, 607, 608, 609, 610, 611, 613, 616, 618, 621, 622, 624, 627, 628, 629, 631, 633, 637, 640, 645, 647, 648, 649, 663, 664.
Morris, S., 724.
Morrough, Robert, Esq., 3rd Arbitrator, 484, 512, 513.
Mosa Township, 34; Petition of Inhabitants, 461.
Mother Country, 100.
Motion, Introduction of, 6.
Mott, Jonathan, 221.
Moulinette Rapids, Locks at, 86; Works at, 524.
Moxa (Mosa), 34.
Mucklehone, J., 706.
Muirhead, John, 750, 774.
Mullen, Alexander, 778.
Mulmer Township, part of County of Simcoe, 465.
Munro, H., 770.
Munro, Hugh, 737, 740, 742, 767, 770.
Munro, J., 719, 743.
Munro, James, 749, 775.
Munro, Thomas, 734, 757, 775.
Murchison, John, 767.
Murder, The King vs. Charles, an Indian, 705, 724.
The King vs. Dinah McCurdy, 715.
The King vs. Archibald McNeil, 724.
The King vs. Shawaneskiskie, 715.
Respite to an Indian charged with, 708.
Murdoff, James, 751.
Murney, Henry, 334, 335.
Murney, Mr., 330, 331, 332, 333.
Murray Post House, 62; Boundary, 210.
Murray, Robert, 750.
Mustard, Robert, 773, 774.

N.

Nadar, B., 737.
Nantucket, 135.
Nash, Joseph, 695, 696, 707, 715.
Nassagaweya Township, part of County of Nelson, 465.
National Policy of Government, 110.
Naturalization, 457.
Naval Officer, fee for opinion as to validity of bond, 711.
Navigation, Internal or Inland, 159, 212, 214, 215, 218, 219, 222, 266, 271, 282, 362, 366, 400, 430, 619, 620, 624, 629, 631, 636, 639, 648, 651, 652. 662, 664, 665, 666, 667, 673, 686, 687.
Acts, 674.
Commissioners of, 478, 538, 595, 602.
Law Amendment Bill, 218.
Regulation of, 58.
Regulation of United States Trading Vessels, 664, 666.
St. Lawrence River, Improvement of, 235, 381, 408, 410, 414, 417; Report of Arbitrators, *re* 513-526.
Survey Bill, 402.
Navy, Commissioner of, 480.
Navy, Inspector of canvas, *re* Hemp, 483.
Neilson, John, 20, 24, 25.
Nellis, Mr., 278.
Nellis, H., 726.
Nellis, Robert, 773.
Nelson County, Townships comprising, 465.
Post House and Letter Rates, 61, 62.
Township, part of County of Nelson, 465; Petition of Inhabitants, 307, 312, 320, 349.
Nepean Township, part of County of Carleton, 465.
Nettleton, Daniel, 770.
Nevins, Alexander, 716.
New Brunswick, 109, 229, 247.
New Hampshire, 292.
New York, Mails from, 62.
Newcastle, 329.
Collector of Customs at, 761.
Newcastle District, Assize Accounts, 703, 717.
Re Bridge, 609.
Re Canal, Bay of Quinte, 478.
Re County to be formed near Rice Lake, 465.
Crown Office Accounts, 699, 700.
Re Division of, 561, 562.
Fiats for Commission of the Peace, 710, 711.
Gaol Limits, 464.
Paper Manufacturer, Petition of, 446.
Petitions of Inhabitants, 48, 54, 67, 73, 76, 96, 164, 205, 223, 294, 299, 317, 556, 580.
Newfoundland, 109, 229.
Newspapers, Libels against, *The Kingston Chronicle*, 193, 219, 268; *The Upper Canada Herald*, Kingston. 452, 453, 469, 479; *The Observer*, York, 289, 290.
Newspapers, Providing, for Members of the House, 225, 450.
Niagara, Collector of Customs at (Colin McNab), 732, 733, 761.
Post House and Letter Rates, 61, 62.
River, 142.

Town of, 213; Establishing Police in, 325, 344, 350, 353, 360, 361 365, 390, 393, 403, 430.
Niagara District, Assize Accounts, 706.
Canal Company, 453; Petition against same, 457.
Crown Office Accounts, 700.
Fiat for Commission of the Peace, etc., 698, 709, 711.
Gaol and Court House, rebuilding after the war, 156.
Highways and Public Roads, 156, 630
Lands forfeited, 222.
Money due to teachers, 279, 302, 319, 320, 324, 382, 429.
Petition of Inhabitants, 295, 296, 297, 365, 366.
Shop and Tavern Licenses Issued, 750.
Niagara Township, 204, 417, 447.
Nichol, Lt.-Col., 95.
Nichol, Mr., 72, 73, 74, 83, 85, 86, 93, 94, 96, 115, 116, 117, 118, 119, 122. 123, 124, 125, 144, 145, 146, 147, 148, 152, 153, 154, 155, 157, 159, 160, 161. 162, 163, 164, 165, 167, 168, 170, 172, 173, 174, 175, 176, 179, 180, 182, 183, 184, 185, 186, 188, 189, 190, 191, 192, 193, 194, 204, 205, 206, 207, 208, 210, 211, 212, 213, 214, 215, 218, 219, 222, 224, 225, 268, 269, 270, 271, 272, 275, 276, 278, 280, 281, 282, 283, 284, 285, 288, 289, 290, 291, 292, 295, 297, 298, 299, 300, 303, 306, 307, 308, 309, 310, 311, 312, 314, 315, 316, 318. 320, 322, 323, 324, 325, 340, 341, 344, 346, 350, 351, 356, 357, 363, 364, 365, 366, 367, 368, 370, 371, 372, 373, 375, 376, 377, 378, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 391, 392, 393, 394, 396, 397, 398, 399, 400, 401, 402, 403, 405, 406, 408, 409, 410, 411, 412, 413, 415, 417, 418, 419, 424, 425, 427, 428, 447 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 463, 468, 470, 471, 472, 473, 474, 475, 477, 478, 479, 531, 532, 535, 536, 540, 541, 542, 545. 547, 551, 554, 555, 557, 562, 563, 564, 565, 566, 573, 574, 575, 576, 577, 578, 579, 580, 583, 584, 585, 586, 587, 589, 590, 591, 593, 595, 596, 597, 598, 599, 600, 601, 602, 603, 605, 606, 607, 609, 610, 611, 613, 615, 620, 621, 622, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 635, 637, 638, 640, 644, 645, 650, 651, 661, 662, 665. 666, 672, 676, 677, 678, 680, 681, 682, 683, 684, 685.
Nichol, Robert, 93, 94, 95, 184, 293, 310, 399, 413, 425, 426, 427, 428, 572, 592, 657, 672.
Nichol Township, part of County of Halton, 465.
Nightingale, T., 221.
Nixon, William, 701, 702.
Nony, Wm., 767.
Norfolk County, 27, 35, 39, 46, 72, 73.
Name, Boundary, etc., 142; Representation, 143.
Norris, Mr. (Morris), 204.
Norris, James, 773.
North West Boundary, 589.
North West Company, 589.
Northumberland County, Name, Boundary, etc., 141; Land near Rice Lake to form new County, 465. Representation, 143.
Norton, N., 734, 742, 768.
Norton, Nathaniel, 776.
Nova Scotia, 109, 229, 247.
Nun's Island Boat Channel, 519, 520.

O.

Oats, Edward, Petition of, 77, 86, 162.
O'Balcom, 703.
O'Brian, John, 751.
O'Reilly, Daniel, 715.
Observer, newspaper, published in York; *re* libel, 289, 290.
Officers, Parish and Town, 4, 68, 70, 77, 78, 151, 583, 594, 689.
Offices, Legislative, 4.
Ontario County, Name, Boundary, etc., 140; Representation, 143.
Lake, 105, 140, 141, 142, 312; Canal to Burlington Bay, 289, 409, 416, 430. 461, 564, 593, 617, 629; Road from, to Lake Simcoe, 312.
Orange Bill, 372; Club Bill, 385, 386.
Processions, suppression of, 554, 620, 621.
Societies, Petition Against, 321.
Ordinance Repeal Bill, 650, 651, 652, 686.
Orillia Township, part of County of Simcoe, 465.
Oro Township, part of County of Simcoe, 465.
Orphana, Jana, 735.
Orr, William, 705, 718, 723.
Orton, Thomas, 718.
Orwell River, 142.
Osborn, Asa, 773.
Osborne, Nathan, 710, 714, 715.
Osgoode, Mr., 251.
Osnabrough House, 589.
Osnabruck Township, Boundary Lines, 39, 81, 89, 90; Forfeited Land, 220.
Petition of Inhabitants, 35.
Osnaburg Township, 139, 194.
Osprey Township, part of County of Simcoe, 465.
Ottawa District, Gaol and Court House, 642, 650.
Petition of Inhabitants, 532, 537.
Roads, 277, 278.
Schools, 209, 271, 274, 275, 279, 285, 428.
Sheriff of, Alexander McDonell, Esq., 532, 537, 642, 708.
River, Boundary of Counties, 139, 140, 141; Boundary of Province, 598; Trade with settlers on, 110.
Otonabee County, Townships comprising, 465.
And Gwillimbury Road, 621, 628, 630.
Township, part of County of Otonabee, 465.
Township, Petition of Inhabitants, 556, 563, 573, 580; Bill, 561, 609.

Overseers of Highways, 90.
Ouse River, 142, 377.
Oxford County, Petition of Inhabitants, 39, 46.
Oxford Post House, 62.
Oxford Township, lands forfeited, 222.
Oyer and Terminer, Courts of, 298, 303. 339.

P.

Pakenham Township, part of County of Carleton, 464.
Palmer, Noble, 725.
Paper Currency, 269, 272, 282, 328.
Manufacturer, 446.
Mills, 449.
Papineau, Hon. J. L., 10, 17, 20, 23, 24, 25.
Pardons, fee for drawing fiats of, etc., John Brown, 707; Richard Jeffers, 697, 698, 709; Simon Kemp, 710; U. Lucas, 707; R. McCartney, 707; Thomas Smith, 697; William Stotenborough, 707.
Parish and Town Officers, 4, 68, 70, 76, 78, 151, 583, 594, 689.
Park, N., 767.
Park, William, 749.
Parker and Co., 742, 743, 744, 745.
Parker, Gerrarde and Co., 736, 739, 743, 771, 776, 777, 778, 779.
Parker, Hon. Isaac., 134, 135, 137.
Parliament, British, 111, 112.
Dissolution of, 377.
Fee for Fiat for Prorogation, etc., 707, 708, 710, 725, 779.
Imperial, 103, 108, 109, 110.
Proclamation *re* Meeting of, 1, 2, 201-203, 435-437.
Speech at prorogation of, 195-197, 431-435, 688-690.
Parliamentary Debates, *re* Copies for Library, 672.
Parsons, Theophilus, 130, 134.
Patent for Pot Ash Kettle, Petition, 348, 386; Bill, 396, 398, 399, 431.
Patents for Lands, Bill for obtaining (*see* Heir and Devisee.)
Patronage, Legislative, 118.
Patterson, James, 221, 269.
Patterson, John, 221.
Pattie, David, Esq., 170, 212, 218, 292, 293, 295.
Pattie, Mr., 32, 36, 37, 38, 42, 43, 44, 46, 48, 49, 50, 52, 54, 55, 56, 66, 72, 74, 87, 115, 117, 124, 125, 146, 148, 152, 157, 167, 174, 176, 179, 180, 182, 183, 186, 189, 190, 193, 207, 209, 211, 213, 214, 215, 225, 268, 269, 271, 272, 273, 275, 277, 278, 279, 280, 281, 287, 290, 291, 293, 295, 297, 298, 299, 300, 301, 304, 306, 307, 310, 311, 312, 314, 315, 316, 318, 320, 321, 322, 323, 324, 328, 340, 341, 348, 352, 354, 355, 356, 357, 358, 359, 360, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 373, 374, 377, 378, 380, 382, 383, 384, 385, 386, 387, 391, 392, 393, 398, 399. 401, 402, 405, 415, 416, 419, 439, 450, 452, 455, 456, 460, 463, 468, 471, 475, 477, 478, 479, 482, 531, 536, 537, 538, 539, 542, 545, 547, 552, 554, 555, 557, 560, 561, 562, 563, 565, 572, 573, 574, 575, 577, 581, 582, 583, 584, 585, 586, 587, 588, 591, 592, 593, 597, 600, 602, 604, 605, 606, 608, 609, 610, 611, 613, 617, 619, 620, 621, 622, 624, 626, 628, 629, 631, 637, 638, 644, 645, 646, 647, 648, 649, 650.
Pattinson and Co., 749.
Pattinson, R., 746.
Peace, Act for better preserving of, 386.
Peace, Regulation of fees for Justice and Clerks of, 393.
Peck, Elias, 221.
Pedlars, *re* Licenses, 9, 78, 81, 269, 270, 305, 317, 319, 320, 340, 429, 454, 566.
Peers, Judgment of his, 39.
Pember, Philip, 752, 774.
Pension, Chaplain of the House, 394, 398, 411, 430.
List, Petitions to be placed on, Martha Barnum, 147; James Carroll, 147, 464, 466, 474; David Crawford, 371; Child of John Gallipo, 474; Susanna Kendrick, 270, 371; Francis Lee, 323, 371; Peter Miller, 86, 91; William Peterson, 366; Jacob Vice, 316; John White, 81.
Sergeant at Arms, 621, 628, 630, 631, 673, 674, 680, 681, 682, 683.
Pensions, Annual to the Hon. Thomas Scott, late Chief Justice, the Hon. John McGill, late Receiver-General, and to the Speaker of the Legislative Council, 42.
Perelin, H., 742, 743, 744, 778, 779.
Perjury, The King vs. John Brown, 718; Henry Carpenter, 716; Oliver Eaton, 703, 719; James McMasters, 716; Noah Philips, 719; Thomas Smith, 709; Matthias Simmerman, 707, 711; Eve Wait, 719; Daniel Wing, 719; Robert Winkworth, 719.
Perrault, Louis, 749.
Perry, D., 336.
Perry, Robert, Petition, 144, 145, 215, 217, 218, 224, 273, 274, 313, 315.
Perry, S., 743.
Perth, Market for Town of, 53, 54, 64, 67, 68, 69, 118, 194.
Perth Post House, 62.
Peters, Eli, 224.
Peters, John, 758.
Peterson, John Dietrich, Minister of Lutheran Church, Petition, 466, 474, 627.
Peterson, William, Petition, 365, 366, 466, 474; Relief Bill, 383, 386, 536, 558, 562.
Peterson, Mr., 31, 32, 36, 37, 38, 39, 40, 42, 43, 44, 46, 48, 49, 50, 52, 55, 56, 66, 71, 72, 74, 87, 90, 115, 117, 124, 125, 146, 148, 152, 157, 167, 168, 174, 176, 179. 180, 182, 183, 186, 189, 190, 193, 211, 218, 225, 280, 281, 289, 290, 291, 295, 297, 299, 306, 310, 311, 312, 314, 315, 318, 319, 320, 322, 323, 324, 328, 339, 340, 342, 343, 344, 347, 348, 349, 352,

355, 583, 584, 585, 586, 588, 592, 593, 594, 597, 598, 600, 601, 602, 606, 608, 609, 610, 611, 613, 617, 619, 620, 621, 622, 624, 626, 627, 629, 631, 633, 635, 639, 644, 647, 648, 649, 650.
Petit, John, Petition *re* services in war of 1812, 366, 374, 402.
Petition or Bill to be introduced; to be examined and reported on, 4, 6, 9.
Petitions, Jonathan Allan, 478, 531; Inhabitants of Ameliasburgh, 269, 275; Daniel Howells and others of Ancaster Township, 537, 542; Thomas Appleton, 575, 582, 583; Inhabitants of Asphodel Township, 556, 563, 579, 580; Assessment, Johnstown District, Wm. Brown and others, 453; Bank at Kingston *re* Incorporation of, 73, 90, 91; Bank of Upper Canada, 313, 316, 317, 466, 537; Banking Association, 605, 606; Inhabitants of Bathurst District, *re* division of, 464, 470, 481; Martha Barnam, *re* pension, 118, 147; George Bates, 304, 306, 316, 341; Adin (Aaron) Beebee and others, 473, 629; A. O. Petrie, *re* Ferry at Belleville, 582, 587; Inhabitants of Belleville, *re* establishing a Police, 207, 213; William Bergin, 547, 554, 620, 621; Ambrose Blackstock, Esq., 319, 323; John Boswell, Esq., *re* Practicing as a Barrister in Cobourg, 270, 275, 278; David Brackenridge, Esq., 469; Prisoners for debt in Brockville Gaol, 464; Sunday-school Library, Brockville, 301, 302; George T. Burk, and others of Carleton County, 469; Burlington Bay, Fishery at outlet of, 312; Burlington Bay Canal, 289, 461; Canal Commissioners Supplementary Report, 628; John Cary, 401, 402; James Carroll, *re* pension, 125, 147, 163, 459, 464, 559; Chippewa Creek Bridge, 359; Inhabitants of Township of Chingacousy and Toronto, 323, 348, 372; John P. Clement, 204, 213, 287, 294, 316, 351; Clothiers of Newcastle District, 67, 73, 76; Sunday-school Library, Cobourg, 301; Francis Collins of Town of York, 381; Inhabitants of Township of Cramahe, 73, 76, 205, 210, 294, 299, 317; David Crawford, *re* pension, 287, 289, 323, 371; Matthew Crooks, Esq., 307, 312, 317; John Crysler, 89, 123; Thomas Dalton, Kingston, 469, 479, 572, 578; Edward Dates, 77; Debtors in Brockville Gaol, 464, in York, 272, 277, 278, 317; Henry Delamaitre, 91; Henry Delamotte, 86; George Delong, 304, 306, 316, 341; Adam Dixon of Cornwall, Merchant, 77, 86, 145; Thomas Dowsley, 280, 287; George Duggan and others of York, *re* Police, 144, 148, 177; Inhabitants of County of Durham, 223, 272, 312; Petition *re* Election Contested in Durham, 73, 164; *re* Importation of Dye Stuffs from United States, 73, 76, 91; *re* Elections in Lenox and Addington, 4, 7-9, 31, 36, 37, 115-116, 147, 148, 149, 152, 215-217, 273, 274, 306, 315, 441, 444, 450, 452, 539; Episcopal Methodists, 72, 86, 91; Oliver Everts, Inspector, Dist. of Johnstown, 572, 578, 587; Inhabitants of Flamborough and Nelson, 307, 312, 320, 349; Benjamin Fairfield, 115, 116; Fishery at outlet of Burlington Bay, 312; William Forsyth, 157, 164; Charles Fothergill, Government Printer, 410, 611, 623, 633, 636; Alexander Gardener, 207, 213; Valentine Gill, Esq., 357, 360, 386; Inhabitants of Gore District, 357, 360, 386; Magistrates, Grand Jury, etc., of Gore District, 453, 457, 461; James Gordon and others, Niagara District, 449, 453, 531; Maria Grace, 86, 91; Inhabitants of the County of Grenville, 449, 453; Inhabitants of Gwillimbury and Tecumseh, 550, 553, 554; George Hamilton, 167, 168, 170; John Hardney, 354; John Hardy, 341, 367, 388, 409, 411; Daniel Harris, 322, 348, 363, 386; Inhabitants of Hastings County, 547, 554, 600; Hawley, Davis and others, 461, 466; John Henry *re* Highway repairs, 46, 48, 49, 76, 163, 377; Home District *re* Gaol and Court House, 281; Magistrates, etc., of Home District, 453, 457; Home and Gore District, Inhabitants of 530, 535; Daniel Howell of Ancaster Township, 537, 542; Charles Ingersol, 446, 474, 624; Robert Innis and Inhabitants of Western District, 311, 316, 341; Johnstown District:—Inspector, 572, 578, 587; Juries, Grand and Petit, 552; Jail, 444, 447; Alexander Morris and others, 549; Prisoners in Jail, 459; Peter Jones of Barton, 363, 366; Susanna Kendrick, Widow of Lt. Duke William Kendrick, *re* pension, 215, 270, 289, 371; Kingston Banking Association, 605, 606; Incorporation of Bank, Kingston, 73, 90; Thomas Dalton of Kingston, 469, 479, 572, 578; Thomas Markland and others of Kingston, 530, 535; Major James Kirby of Incorporated Militia, 556, 563, 601; John Lake, 441; John Law and others of Wentworth, 280; Francis Lee, 319, 323, 371; John Lee, 605; William Lee, Gentleman Usher of the Black Rod, 599; Matthew Leach of Brockville, 587, 594; Lennox and Addington Election, 4, 7-9, 31, 36, 37, 115-116, 147, 148, 149, 152, 215-217, 273, 274, 306, 315, 441, 444, 450, 452, 539; *re* Separation of Counties of Lennox and Addington, 449, 450, 451; Freeholders of Lennox and Addington, 438, 440, 441-444; Lincoln County Inhabitants, *re* Provincial Union, 294, 295; *re* Gaol and Court House, London District, 215, 270, 298, 299, 318; Joseph J. Losee and others of Whitby, 307, 312, 395; Louth Township, Adin Beebee and others, 473,

479, 629; John McBeath, 556, 563; Hugh McCall of Walsingham, 294, 304; Peter McCallum and others, 323, 348, 356, 366, 373; Alexander McDonell, Sheriff, District Ottawa, 532, 537, 642; John McLean, Esq., 532, 537; Allan McNab, 461, 466, 539; Daniel Markham, Paper Manufacturer, 446, 449; Thomas Markland and others, 68, 73, 86, 90, 279, 381, 408, 530, 535; *re* Sunday school Library Books, 283, 292; Thomas Mears and John McDonell, Marriage, Solemnization of, 469, 479; Esq's., 272, 277, 278, 287; John Matthews and others, 461; Members and Friends of Methodist Episcopal Church, *re* Solemnizing Marriages, 451, 455, 469, 479; Reformed Methodists, *re* exemption from Militia Duty, 302; Middlesex County Inhabitants, 68, 73, 74, 457, 461, 637, 649; *re* erection into separate District, 461; John Matthews and others praying contra, 461; Midland District, Magistrates and others, 155, 156, 541, 546, 549; Peter Miller, *re* pension, 86, 91, 166, 195; Millers, *re* Increase of Toll, 73; James Miles, Esq., 611, 623, 630; Newcastle District, Inhabitants, 556, 580; Niagara District, James Gordon and others, 449, 453, 531; Edward Oats, 77, 86, 162; Orange Societies and Processions, *re* Suppression of, 321, 554, 620, 621; Inhabitants of Osnabruck Township, 35, 39, 81; Inhabitants of Otonabee Township, 556, 563, 579, 580; Inhabitants of Ottawa District, 532, 537, 642; Robert Perry and others of Lennox and Addington, 215-217, 218, 224, 273, 274, 306, 313, 315; William Peterson of Niagara District, 365, 366, 367, 466, 474; John Dietrich Peterson, Lutheran Minister, 466, 474, 627; John Petit, Esq., 366, 374, 402; Alexander Oliphant Petrie of Belleville, 582, 587; *re* Police in Town of Belleville, 213; *re* Police in Town of York, 148, 177; Grant Powell, Clerk of the House, 544, 548; Presbyterian Congregation, York, 453, 457; Prescott and Russell Freeholders of, 167, 170; Inhabitants of Prince Edward County, 304, 357, 366, 530, 535, 555; Abraham A. Rapelge, Esq., Sheriff of London District, 323, 348, 349; Margaret Rosseau, 39, 46, 47, 70, 71; St. George's Church, Kingston, 304, 306, 365; Salt Works, Barton, 366; Sergeant at Arms, 539; Benjamin Shell, 287, 289, 294; Rev. William Smart and others of District of Johnstown, 288, 294, 304, 343, 344; C. C. Smith, Dep., Clerk of the Crown and Pleas, 347; Jacob Smith of Township of Etobicoke, 294; Jacob Smith of Town of York, 170, 194, 288; Hiram Spafford of Brockville, 311, 316, 341, 444, 447, 463; Robert Staunton, 461, 466; Timothy Storing and others of Lennox and Addington, 4, 7, 9, 31, 37, 40, 147, 149, 152; Samuel Street, 144, 148, 156, 157, 352, 359; *re* Importation of Tea, 668-670; Peter Thomas, 453, 457; Growth of Tobacco, 577; Juda Trumble, 466, 474, 586; David Tuttle, 71, 75, 192; Sundry Inhabitants of Upper Canada, 316, 542, 577, 583; Ferdinand Van Stickler, 39, 46, 83; Jacob Vere, 371; Jacob Vice, 311, 316; Timothy Ward, 68, 73, 164; Inhabitants of County of Wentworth, *re* Provincial Union, 287, 289; Inhabitants of Western District, 537, 542, 577, 578, 583; John White, 48, 54, 81, 85; B. Whitney of Kingston, 337, 348, 349, 381; William B. Willson and others, 275, 279, 302; Yonge Creek Bridge, 551; York Gaol, Debtors in, 272, 277, 278, 317; Town of York, *re* Legislative Patronage, 117, 118; *re* aid for Sunday Schools, 117, 118; *re* Police, 148; *re* Presbyterian Congregation, 453, 457.

Petitions, Fees for Reports on, Capt. LeBreton, 710; Wm. Crooks, 708; Inhabitants of Dumfries, 709; Daniel Everitt, 708; Wm. A. Fletcher, 710; James Fox, 710; Griffiths and Troy, 710; Daniel Hopkins, 709; Six Nation Indians, 711; Inhabitants of Southwold, 709; Vanorman and Co. 709.

Petitt, John C., 750, 774.

Petrie, Alexander Oliphant, Petition, 582, 587.

Peu, Samuel, 750.

Pew, Samuel, 774.

Pew for Members of the House, 87.

Phelps, E. L., 222.

Philips, Corns, 753.

Philipson, T., 703, 719.

Phillips, 705.

Phillips, James, 723.

Phillips, Noah, 718.

Phillips, Richard, 774.

Physic and Surgery, practice of, 7, 28, 47, 56, 66, 67.

Pickering Township, 76. Part of County of York, 465.

Pilkington, Isaac, Messenger and Office keeper, 694.

Pittsburgh Township, *re* name, boundary, etc., 140.

Plantaganet Township, *re* Gaol and Court House, 531.

Plantation Trade, 229.

Playter, Eli, 752.

Playter, James, 752.

Plumley, David, 753.

Point au Pins, 142. Point Pleasant, 140, 141. Point Travers, 141.

Police Amendment Bill, 184, 185, 189, 195.
Re establishment of in Belleville, 213, 305, 318, 321. In Kingston, 535, 578, 590, 594, 596, 618, 622, 623, 673, 679, 680, 688. In Niagara, 325, 344, 350, 353, 360, 361, 365, 390, 393, 403, 430. In Sandwich and Amherstburg, 177. In York, 148, 177, 180, 184.
Fund, 178.

Political Associations, 620, 621.

Population, *re* Returns, etc., 361, 462, 470, 480, 481, 532, 533, 534, 545, 550, 554, 555, 558, 594.
Effect of increase on Administration of Justice, 298, 303.
Increase in County of Carleton, 464.
Returns, District of London, 460.
Porett, John, 752.
Port Fees and Charges, 162, 167.
Port Hope, Letter rates to York, 61. Post House, 62.
Port and License Duties, General statement of receipts and payments, 762.
Port of Quebec. See "Quebec."
Port Talbot, Letter rates to York, 61. Post House, 62.
Post Master, General at Quebec, *re* revenue, 57.
General (Deputy), 62.
York, William Allan, Esq., 693, 694, 716, 717.
York (Deputy), William Allan, Esq., 57, 60, 61, 62, 63.
Post Office, Department of, 56.
Inquiry, 83.
Revenue, 56, 58, 59, 60.
York, Letter rates, etc., 61, 62.
Post Office establishment, report of Committee, 56-60. Examination *re* Report, 60-63.
Post Roads, improvements of, 60.
Postage rates on letters, packets, etc., 56, 58, 59, 60, 61, 62.
Postage rates on letters to and from Members of the Legislature, 683.
Postal Couriers, 61.
Potash Boiler, Patent asked for, 348, 386. Bill *re*, 396, 399, 431.
Potash, Export of, 106.
Pound Keepers, 90.
Poundage, 78, 88, 195.
Poundage, Repeal Laws *re*, 35, 37, 38, 40, 41, 46.
Powell, Dr., 726.
Powell, G., C. A., 690.
Powell, Grant, Esq., Clerk of the House, 187, 191, 193, 197, 424, 426, 544, 548, 684, 685, 690.
Powell, J. H., 725, 726.
Powell, John, Esq., Clerk of the Legislative Council, 187, 190, 193, 424, 426, 432, 548, 684, 685.
Powell, Mr. Justice William Dummer, 54, 63, 118, 122, 124, 149, 152, 161, 162, 166, 169, 170, 188, 302, 310, 312, 314, 360, 375, 379, 382, 384, 396, 400, 407, 413, 418, 471, 480, 529, 534, 540, 546, 557, 588, 601, 615, 625, 640, 651, 668, 669, 670, 671, 673, 676, 677, 678, 679, 680, 681, 765.
Practice of the Law, regulation of, 4, 40, 46, 63, 194.
Pratt, Zadock, 775.
Presbyterian Congregation at York, Petition, etc., 453, 457, 541, 562, 563, 662, 687.
Presbyterian Purchase Bill, 541, 558, 559.
Prescott, Letter rates to York, 61. Post House, 62. Member for, 170.
Prescott and Russell, Petition of inhabitants, 167.
Presqu'ile de Quinte, 140.
Presqu' Isle Harbour, 478, 538.
Prevost, Sir George, 96.
Prince Edward County, division into Townships, 321, 342, 367.
Division Bill, 555, 577, 585, 586.
Re Midland District, Loan, 572.
Name, Boundary, etc., 140, 141.
Petition of Inhabitants, 304, 357, 366, 530, 535, 555.
Representation, 143.
Prince Edward Island, 229.
Prince Regent, 96.
Pringle, Alexander, 219.
Printer, Government, Charles Fothergill, Esq., 169, 410, 611, 694, 696, 701, 702, 717, 725.
Printer of Laws, 424, 427.
Printing, Government, *re*, 276, 312, 375, 397, 406, 409, 410, 428.
Printing Statutes, etc., *re*, 623, 633, 636, 641, 642, 644, 646, 686.
Privileges of the House, 290.
Privy Council, 45, 49, 109, 247, 248.
Probate Court, *re* establishment of, 379, 382, 394, 430, 481, 541, 560, 562, 590, 604, 619, 622, 623.
Proclamation encouraging Americans to emigrate into this Province issued by Governor Simcoe, 86, 117, 121, 138.
Re division of Province into Counties and Ridings, 86, 117, 121, 138-144.
Fee for copy of same, 697.
Re meeting of Parliament, 1, 2, 201, 202, 203, 435, 436.
Property, English Law as the Rule of decision, 450.
Prorogation of Parliament Speech, 195-197, 431-432, 688-690.
Protection Bill, 297, 320.
Protestant Clergy, 236, 389, 529, 547.
Episcopal Church, Pew to be furnished for Members of Legislative Assembly, 87.
Faith, 252.
Protestants, Foreign, 289, 290, 291, 397.
Protested Bills of Exchange, 205.
Proton Township, part of County of Simcoe, 465
Province, Civil Service of, 189.
Division into Counties, Proclamation by Governor Simcoe *re*, 86, 117, 121, 138-144. Charge for Copy of Same, 697.
Division Bill, 378, 451, 464, 478, 538, 561, 562.
Division of Committee on, 450, 451, 452, 464.
Establishment of College in, 346, 356, 372.
Population, returns of, 361, 462, 470, 480, 481, 532, 533, 534, 545, 550, 554, 555, 558, 594.
Secretary of (See William Jarvis).
State of, 116, 219, 278, 280, 290, 297, 300, 321, 322, 456, 554.

of Quebec, *re* division of, 246, 247, 248, 252.
Tranquility of, 29, 32, 35, 38, 44, 205, 207, 213, 451, 453, 473.
Provincial Accounts. See "Accounts."
Accounts, Quebec, 57.
Acts and Laws, Expiry of, 4, 204, 208, 209, 212, 269, 270, 271, 438, 440.
Agent, 29, 32, 40, 49, 56, 64, 65, 274, 283, 286, 290.
Arbitrators, 230, 231, 232, 233, 246, 247, 250, 267.
Arbitrators, Decision *re* Claims of Provinces, 203, 205, 208.
Arbitrators, Report *re* Trade between Upper and Lower Canada, 484-528, 542, 544, 582.
Assembly, representation from Counties in, 465.
Bank, *re* Incorporation of, 117, 151, 204, 206, 209.
Boundary, 269, 272, 274, 275, 276, 280, 458, 472, 473, 474, 476, 480, 523, 537, 541, 564, 589, 602, 614, 615, 623, 624, 666, 667, 676, 683.
Chest, 277.
Funds, 308, 326, 328. Vested in the Bank of Upper Canada, 308, 326.
Government's resolutions *re* salaries, 396.
Journals, 33.
Revenue, 6, 79, 82, 196, 204, 205.
Statutes, 397, 406, 409, 410, 428, 646, 663, 686.
Treasury, 80, 278, 438.
Union, Correspondence, etc., *re*, 222, 237-268, 272, 365.
Pruyn, Francis, 773.
Public Accounts. See "Accounts."
Public Defaulters, 75.
Public Funds, 377, 395.
Highways and Roads, 64, 662.
Posts for conveyance of letters, 4, 26, 56, 60, 61.
Revenue, 6, 79, 82, 196, 204, 205.
Service, Funds for, 26, 28.
Schools, establishment of Districts of Bathurst and Ottawa, 209, 271, 274, 275, 278, 279, 280, 281, 285, 287, 289, 290, 302, 303, 305, 428.
Purvis, George, 719, 775.

Q

Qualification Bill, 457, 460, 472, 478.
Quarter Master General's Department, Upper Canada, 114.
Quarter Sessions Act, Charge for publication of, 726.
General, 87, 89, 123, 194, 598.
Home District, 325, 342, 350, 353, 367, 429, 453.
London District, 34, 270.
Midland District, 160, 165
Quebec Bank, 336, 337.
Quebec, Collector of Customs at, 229.
Committee of Trade, 659.
Letter rates, etc., 60, 61, 62.
Port of, Control over, 106, 109, 110, 111.
Port of, Duties collected at, 3, 5, 9, 16, 28, 43, 45, 50, 51, 98, 104, 113, 204, 206, 209, 308, 317, 326, 343, 365, 396, 437, 455, 458, 461, 568, 639, 662; Duties on imports at, 638; Duties on merchandize imported into, 619.
Navigation regulations within rights of British Government, 98, 113.
Province, Administration of Justice in, 102, 109.
Province, Constitution, 1791, 98.
Province, Division of, 1791, 98, 102, 139, 246, 247, 248, 252.
Province, Imports and exports, 97.
See also "Lower Canada."
Queenston, *re* Brock's Monument, 92, 93.
Collector of Customs, Colin McNab, 732, 761.
Letter rates, 61. Post House, 62.
Quick, John, 706, 712, 751.
Quinte, Bay of, 141.
Re Canal, 478, 538.
Re Ferry Across, 587.

R

Radenhurst, John, Junior Clerk, 701, 702.
Radiger, Mr., 335.
Radiger, N., 339.
Rafine, F., 734.
Rafts and Scows, rates on, 408, 414, 514, 515, 517, 518, 519, 520, 521.
Raleigh, Post House, 62.
Rambough, J., 768.
Ramsay Township, part of County of Lanark, 464.
Randal, Mr., 6, 32, 36, 37, 38, 39, 40, 42, 43, 44, 46, 48, 49, 50, 52, 55, 56, 66, 68, 71, 72, 74, 78, 86, 87, 115, 117, 118, 124, 125, 146, 148, 152, 153, 154, 157, 167, 168, 175, 176, 179, 180, 182, 183, 186, 189, 190, 193, 206, 207, 210, 211, 213, 218, 222, 223, 268, 269, 273, 281, 284, 290, 291, 292, 295, 297, 299, 301, 306, 307, 310, 311, 312, 314, 315, 316, 318, 320, 322, 323, 324, 325, 328, 340, 341, 342, 343, 348, 349, 352, 353, 354, 355, 356, 358, 359, 365, 367, 368, 369, 370, 371, 373, 374, 375, 376, 378, 381, 383, 384, 385, 387, 388, 391, 392, 394, 396, 399, 400, 401, 405, 409, 411, 412, 416, 424, 425, 439, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 460, 463, 471, 472, 475, 477, 478, 479, 531, 535, 536, 537, 538, 540, 545, 547, 555, 556, 557, 558, 560, 563, 564, 565, 572, 573, 574, 575, 577, 578, 579, 580, 581, 586, 588, 591, 592, 593, 597, 598, 599, 600, 601, 606, 608, 609, 610, 611, 613, 618, 619, 621, 622, 627, 629, 631, 632, 633, 635, 636, 637, 638, 644, 646, 647, 648, 649, 650, 665, 676, 677, 678, 684.
Randal, R., 387.
Ranger, Augs., 742.
Rapelge, Abraham A., Sheriff of London District, 323, 348, 349.
Ray, John, 751.
Reach Township, part of County of York, 465.
Read, G. H., 726.

Real Estate, Sale of on Judgments and Executions, 280.
Receiver General. Accounts, 375, 407, 414, 454, 568, 569, 716, 731, 755, 756, 757, 759.
Arrearages, 69, 81.
Lower Canada (Henry Caldwell, Esq.), 231, 232, 247, 248, 733, 757.
Moneys from fines, etc., to be paid into hands of, 369, 530.
Re Poundage, 79, 88, 195, 529, 536, 563, 567, 610, 621, 622.
Retiring Allowance, 33.
Receipts, 10, 79, 80, 81, 169.
Salary, 35.
Upper Canada, 231, 232, 244, 247. Peter Russell, 731, 733, 755, 756, 757.
Warrants to, 193, 424, 454, 685.
Records, Keeper of, 432.
Redmond, Joseph, 718.
Reformed Methodist Society, 292.
Register and Secretary, Accounts, 375.
Register (Registrar), Province of Upper Canada, 695.
Registering of Deeds, Conveyances, etc., 66, 83, 157, 214, 398.
Registers (Registrars), Appointment of, 31, 47, 55, 65, 66.
Registers, Office Accounts, 695.
Registry Amendment Bill, 40, 55, 66, 67, 70, 74, 77, 83, 157, 205, 214, 273, 284, 376, 378, 393, 397, 446, 451, 455.
Reid, James, 775.
Reid, Maryanne, 336.
Religious and Charitable purpose Bill, 630, 636, 637.
Religious Societies, Relief Bill, 53, 64, 67, 70, 72, 74, 280, 291, 297, 301.
Remuneration of Surveyors, Memorial by Thomas Ridout, 158.
Renan, Jean, 746.
Rencky, Robert, 750.
Report Bill or Law, 316, 324
Report of House, 189, 385, 388, 411.
Reporter or Reporters for the House, *re* employment of, 219, 225.
Representation in House of Assembly, 239, 240, 241.
Representation in Provincial Assembly, 465, 663.
Representatives, 255, 256.
Resignation Bill, 556, 587.
Returning Officer, 216, 217, 223, 240, 241, 275, 315, 441, 442, 443.
Officers' Bill, 474, 482, 530, 536, 686.
Officers' Indenture, 224.
Revenue, 3, 34, 196, 204, 205, 206.
Bill, 55, 64, 66, 67, 69, 91, 152, 153.
Collected at Port of Quebec, 390, 455.
Internal, 79, 108.
Laws, 29, 47, 78.
Revolutionary War, 98.
Reynolds, Ebr., 749.
Reynolds, Robert, 749.
Rice, G., 705, 722.
Rice Lake *re* Bridge near, 580. *Re* new County to be formed near, 465.
Richardson, James, 735, 774.
Richardson, Thomas, 752, 774.
Richmond, Arch, 336.
Richmond, Duke of (Governor-in-Chief), 145.
Richmond, Mr., 330, 331, 332, 333.
Richmond Post House, 62.
Richmond Township, part of County of Lenox, 465.
Ridout, Thomas, Esq., Sergeant at Arms, 754, 764.
Ridout, Thomas, Esq., Surveyor General of Upper Canada, 701. Memorial *re* remuneration, 158, 159.
Ridout, Thomas G., 543.
Riordan, Dennis, 718.
Riot, The King vs. John Anderson, 715; Peter Cornelius, 716; Daniel Croswaltie, 716; E. Fowke, 718; Peter Gage, 716; William Gage, 716; Charles Montague, 715; Richard Short, 704, 723; James Stalker, et al, 705, 723, Williams, 716; John Wills, 715.
Riverre, Louis, 737.
Roaches Point, fee for drawing surrender to the Crown from W. B. Robinson, 707.
Road Extension Bill, 28, 36.
Gwillimbury and Otonabee, 621, 628, 630.
Gwillimbury and Tecumseh, 550.
Lake Ontario to Lake Simcoe, Petition *re*, 312.
Louth, Township of, 479, 629, 630.
Ottawa District, 277, 278.
Talbot, 650.
Roads and Highways, 4, 41, 48, 51, 52, 54, 64, 68, 88, 122, 149, 273, 455, 551, 572, 603, 616, 630, 637, 645, 662, 686.
Roberts, Nathan, 715.
Robertson, D., 736.
Robertson, P., 26, 739.
Robertson, P. and Co., 777, 778.
Robertson, Patrick, 771.
Robertson, Wm. and J., 774.
Robins, James, 752, 774.
Robinson, Commissioner, 380, 400, 657. Remuneration of, 363, 364.
Robinson, J. B. (Attorney General), 3, 5, 6, 26, 112, 120, 163, 176, 181, 246, 249, 251, 252, 262, 263, 268, 274, 345, 377, 437, 642, 657. Letter *re* Census, 533. Letter *re* Machinery for Hemp, 483.
Robinson, John Beverley, 160, 325, 362.
Robinson, Mr., 28, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 48, 49, 50, 52, 56, 63, 64, 66, 67, 68, 69, 72, 73, 74, 75, 83, 86, 87, 90, 91, 123, 124, 125, 148, 150, 151, 152, 153, 154, 157, 165, 166, 167, 168, 169, 172, 176, 179, 180, 182, 183, 185, 186, 189, 190, 191, 193, 194, 299, 377, 556, 562, 563, 573, 574, 577, 578, 581, 582, 584, 585, 588, 591, 592, 593, 597, 598, 600, 601, 602, 609, 610, 611, 613, 619, 621, 622, 623, 626, 629, 631, 632, 633, 635, 638, 641, 644, 647, 648, 649, 650, 657, 665, 678, 680, 681, 682, 683, 684.
Robinson, S., 769.
Robinson, W. B., Fee for drawing Surrender to the Crown of land at Roaches Point, 707.

Robinson, Sir W. H., 509.
Rogers, Mr., 32, 34, 36, 37, 38, 39, 40, 42, 43, 44, 46, 49, 50, 52, 55, 56, 64, 66, 67, 68, 69, 70, 71, 72, 74, 77, 83, 85, 86, 87, 88, 90, 91, 269, 272, 273, 278, 284, 287, 290, 291, 292, 295, 297, 299, 306, 307, 310, 312, 314, 315, 317, 318, 320, 321, 322, 323, 325, 341, 342, 343, 344, 347, 348, 352, 354, 355, 357, 358, 359, 363, 368, 374, 377, 386, 391, 397, 402, 409, 410.
Rose, Alexander, 758, 779.
Rose, Elias, 775.
Ross, Alexander, 770.
Ross, G., 767.
Ross, Hugh, 737.
Ross, John, 746.
Rosseau, Margaret, Petition of, 39, 46, 47, 70, 71.
Rouback, Andrew, 775.
Rouge River, repairing Highways at, 48, 76, 377.
Row, N., 737.
Roy, F., 737.
Royal Society of Arts, *re* Machinery for Hemp, 483.
Rum, *re* consumption of in Upper and Lower Canada, 105. Importation of, 227, 228, 229.
Runehay, Robert, 774.
Rush, Samuel, 758.
Russell, 332.
Russell County, Member for, 170.
Russell County and Prescott, Petition of Freeholders, 167.
Russell, Peter, Receiver General of Upper Canada, 731, 733, 755, 756, 757.
Ruttan, Henry, 579, 580.
Ruttan, Mr., 3, 4, 5, 6, 28, 29, 32, 36, 37, 38, 39, 40, 42, 43, 44, 47, 48, 49, 50, 52, 54, 67, 68, 70, 71, 72, 73, 74, 76, 77, 81, 85, 87, 90, 115, 117, 118, 121, 124, 125, 146, 148, 150, 152, 153, 154, 157, 162, 167, 168, 171, 176, 179, 180, 182, 183, 185, 188, 189, 190, 191, 193, 206, 211, 213, 218, 225, 268, 269, 272, 273, 274, 275, 276, 279, 281, 283, 284, 286, 288, 291, 292, 294, 295, 297, 299, 306, 307, 310, 311, 312, 314, 315, 317, 320, 321, 322, 324, 326, 327, 328, 340, 341, 342, 343, 344, 347, 348, 352, 353, 354, 355, 356, 357, 358, 359, 360, 363, 364, 368, 369, 370, 373, 374, 375, 376, 377, 378, 381, 382, 383, 384, 385, 387, 388, 390, 391, 392, 393, 394, 397, 398, 401, 412, 439, 446, 449, 450, 455, 459, 460, 463, 464, 468, 469, 471, 472, 473, 474, 475, 477, 478, 479, 481, 530, 531, 532, 534, 535, 536, 537, 538, 540, 541, 545, 546, 547, 552, 553, 554, 555, 556, 557, 558, 560, 561, 562, 563, 565, 572, 573, 574, 575, 577, 578, 579, 580, 581, 582, 584, 585, 586, 587, 588, 592, 593, 597, 598, 599, 600, 602, 603, 604, 605, 606, 608, 609, 610, 611, 613, 619, 620, 621, 622, 623, 626, 628, 629, 631, 632, 633, 637, 641, 644, 646, 648, 650, 651.
Ryan, Patrick, 704, 722, 723.

S

St. Catharines, Letter rates, 61. Post House, 62.
St. Clair, Lake, 142.
St. George, Quetton and Co., 774, 775.
St. George's Church, Kingston, Petition, 304, 306, 365. Bill, 392, 398, 430.
St. Joseph's Lake, 589.
St. Lawrence River, *re* boundary of Counties, 139, 140.
Re boundary of Province, 269, 272, 276, 614, 615, 675.
Re Navigation, 235, 381, 408, 411, 414, 417, 513-526, 617.
Re Survey, 627, 630, 631, 646, 688.
St. Thomas, Village of, 650.
Salary. See Adjutant General and Assistant Adjutant General; Attorney General; Deputy Sergeant at Arms; Sheriffs; Speaker, Legislative Council.
Sale of Lands and Tenements in Execution, *re* Bill, etc., 4, 27, 38, 284, 288, 322, 453, 468.
Salmon, Preservation of, 351, 364, 367, 370, 382, 430, 535, 586, 590, 603, 604, 606, 607, 608, 621, 622, 726.
Salt Bounty, Inspection Bill, 290, 294, 304, 308.
Manufacture, 356.
Revenue from, 78, 105.
Works, Township of Esquesing, 348. Township of Barton, 366.
Saltfleet Township, 605.
Sanagan, 704.
Sandwich, Collector of Customs, John Askin, Esq., 761.
Crown Office Accounts, 700, 708.
Letter rates, 61. Post House, 62.
Police for Town, 177.
Sault St. Louis Rapids, 520, 521.
Saunders, Mathias, 751, 775.
Scarborough Township, part of County of York, 465.
Scarle, Edward, 749.
Scarlet J., Acting Inspector General, 693, 694, 696, 697, 700, 702, 708, 713, 716, 725.
School Bill, 319, 320.
School Teachers, Bill for Relief of, 319, 320, 324, 382, 429.
Schools Act, *re* Common, 564, 590, 594, 596, 623, 688.
Establishment of, District of Bathurst, 278, 279, 280, 281, 287, 289, 290, 302, 303, 305, 428.
Establishment of, District of Ottawa, 209, 271, 274, 275, 279, 285, 428.
Expenditure, 569, 570.
Niagara District, *re* money due to Teachers, 279, 302, 320, 324, 382, 429.
Report of Board of Trustees of District, 361, 363, 369.
Sunday, *re* Library, 283, 292, 301, 302.
Scotland, Church of, 529, 547, 561, 587, 592, 593, 596, 606, 607, 611, 619, 623.
Scott, Enos, 750, 774.
Scott, Honourable Thomas, 336.
Scott, Late Hon. Chief Justice Thomas, Annual pension to, 42.

Scott Township, part of County of York, 465.
Scoville, Stephen, 221.
Sealy, M., 736.
Sergeant at Arms, Allan McNab, Esq., Accounts, Contingent, 87, 187, 191, 193, 415, 424, 425, 426, 684, 685.
Office Accounts, 683.
Re Charge of erection of additional buildings and furnishings, 186; furnishing of pew for Members of the House, 87; provision of newspapers for Members of House, 456.
Member taken into custody, of, 146.
Pension, Petition and Bill *re*, 461, 466, 539, 609, 621, 628, 630, 631, 673, 674, 680, 681, 682, 683.
Salary of Deputy, 172.
Thomas Ridout, Esq., allowance as, 754, 764.
Secord, David, 751, 773.
Secretary of State for the Colonies, 45, 49, 219, 225, 298.
Sedgwick, Chas., 128, 131, 132, 134, 137, 146.
Sedition, 29, 32, 35, 38, 39, 42, 44, 46.
Act, *re*, 205, 207, 210, 213, 222, 451, 453, 470, 473.
Selby, Prideaux, Esq., 749.
Select Committee, Report of, 186, 188, 190.
Sessions, General Quarter, 87, 89, 123, 194, 598.
Home Dist., 90, 281, 325, 342, 350, 353, 367, 429, 453.
London Dist., 34, 270.
Midland Dist., 160, 165.
Settlers, American, 86, 117, 121, 123, 138.
Comfort of, etc., 389.
Laws *re* foreign Protestants, 290, 291.
Shackleton, Elizabeth, 542.
Shackleton, John, 542.
Shannon, D., 750, 774.
Shaver, A., 736.
Shaver, Adam, 757, 768, 775.
Shaver, Mr., 5, 6, 28, 32, 35, 37, 38, 39, 40, 42, 43, 44, 46, 47, 48, 49, 50, 51, 52, 55, 56, 65, 66, 68, 69, 71, 72, 77, 86, 87, 89, 90, 115, 117, 122, 124, 125, 145, 146, 148, 149, 152, 153, 156, 157, 162, 166, 167, 168, 175, 176, 179, 180, 182, 183, 206, 210, 211, 214, 218, 223, 224, 225, 268, 269, 271, 272, 273, 274, 280, 281, 282, 290, 291, 294, 295, 297 299, 301, 302, 303, 306, 307, 308, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 324, 326, 327, 340, 343, 344, 347, 351, 352, 355, 356, 357, 358, 359, 360, 361, 363, 364, 365, 366, 368, 369, 370, 373, 375, 376, 378, 382, 383, 384, 385, 386, 387, 389, 390, 391, 392, 393, 394, 396, 398, 400, 401, 403, 405, 410, 411, 416, 422, 424, 439, 444, 446, 452, 455, 458, 460, 463, 468, 471, 472, 475, 478, 479, 481, 482, 535, 537, 538, 539, 542, 544, 545, 547, 549, 552, 553, 554, 555, 556, 557, 558, 560, 561, 563, 564, 565, 573, 574, 575, 577, 578, 579, 580, 581, 583, 584, 585, 587.
Shaver, Philip, 757.
Shaver and Co., 768.
Shaw, W., 769.
Shawaneskiskie, 715.
Sheaver, P., 769.
Sheelon, Mary, 706.
Sheep regulations *re* running at large, 87, 89, 122, 123, 194.
Sheffield Township, part of County of Addington, 465.
Sheldon, J., 221.
Shell, Benjamin, 220, 287, 294.
Shell, Daniel, 220.
Shell, J., 769.
Sherbrooke, Sir John, 101, 505.
Sherbrooke, Sir John Cope, 112, 114.
Sherbrooke Township, North and South, part of County of Lanark, 464.
Sheriff, Bathurst Dist., *re* establishment of, salary, etc., 272, 278, 279, 280, 281, 287, 289, 290, 305, 428.
London Dist., Abraham A. Rapelge, 323, 348, 349.
Midland Dist., John McLean, 469.
Ottawa Dist., Alexander McDonell, Esq., 532, 537, 642, 708.
Sale of Land under Execution, 284.
Sheriffs Appropriation Bill, 279, 280, 281, 305.
Sheriffs, Provision for, 4, 27, 31, 32, 35, 36, 63, 118, 165, 195.
Sherwood, Daniel, 753.
Sherwood, James, Esq., Licenses issued by, 753.
Sherwood, L. P., Collector of Customs, Johnstown, 732, 761.
Sherwood, Livius P., Speaker, 28, 43, 75, 85, 121, 147, 173, 209, 213, 276, 286, 300, 301, 326, 340, 353, 354, 369, 374, 405, 409, 414, 415, 426, 427, 446, 458, 468, 469, 470, 475, 519, 544, 555, 600, 602, 607, 611, 613, 628, 649, 666, 667, 671, 676, 677, 678, 679, 685.
Sherwood, Sarah, 753.
Shop License, *re*, 9, 78, 81, 454, 474, 482, 541, 556, 558, 566, 579, 580, 581, 583, 590, 591, 592, 603, 688.
Duties Collected on, 733, 748.
Issued: Eastern Dist., 757; Home Dist., 752; Johnstown Dist., 753; Midland Dist., 752; Niagara Dist., 750; Western Dist., 749; in the several Districts of Upper Canada, 774.
Short, Richard, 704, 722.
Simcoe County, Townships composing, 465.
Simcoe, Lake, Petition *re* road from Lake Ontario, 312.
Simcoe, Lieut.-Governor, *re* Proclamations issued by, as to American settlers and division of Province into Counties, 86, 117, 119, 121, 123, 138, 139, 143, 144; Charge for furnishing copy of Proclamation *re* division of Province to Office of Lieut-Governor, 697.
Simmerman, 707.
Simmerman, Matthias, 712.
Simpson, Margaret, 774.

Six Nation Indians, Fee for Report on Petition, 711.
Small, Charles C., Deputy Clerk of the Crown, 355.
Small, John, Clerk of the Court of Common Pleas, 699.
Smart, Rev. William, Petition, etc., 288, 294, 327, 328, 343, 344, 719.
Smith, Andrew, 750, 774.
Smith, Hon. David, Esq., allowance as Speaker of the House, 754, 764.
Smith, E., 743.
Smith, Elias, Jr., 773, 775.
Smith, H., 221.
Smith, Jacob, Petition, etc., 170, 194, 288, 294, 351, 352, 357, 367, 368, 369, 372, 379, 711.
Smith, James, Relief Bill, 417, 419, 429.
Smith, Joseph, 750, 751, 754.
Smith, Patrick, 334.
Smith, R., 726.
Smith, Thomas, 697, 698, 709.
Smith Township, part of County of Otonabee, 465.
Smith, William Bayard, 539.
Smuggling from the United States, 462, 463, 670, 671.
Smyth, W. B., 724.
Snider, Jeremiah, 770.
Snider, P., 738.
Solicitor-General, Lower Canada, Mr. Marshal, 244.
H. J. Boulton, Esq., 699; Office Accounts, 703.
Sophiasburgh Township, part of County of Prince Edward, 141.
Southwold Township, Petition of Inhabitants, 461.
Southwold, Fee for Report on Petition of Inhabitants, 709.
Spafford, H., 321.
Spafford, Hiram, Petition, etc., 311, 316, 341, 444, 447, 463; Relief Bill, 352, 360, 379, 416, 417, 419, 480, 481, 632, 686.
Speaker, *See* Livius P. Sherwood.
of Legislative Council, re Salary, 33; *re* Pension, 42; *re* suitable platform and chair for, 209.
Special Receiver, *re* moneys paid into hands of, 461, 472, 474, 556, 557.
Speech from Throne, 3, 203, 204, 437, 438; Reply, 4, 5, 205-209, 444-446.
On Prorogation of Parliament, 195-197, 431,432, 688-690.
Spicer, Daniel, 773.
Spilman, Daniel, recovery of securities, 85, 119.
Spiritous Liquor, Duties on, 54, 78.
Check to sale of, 204.
Regulation of sale to Indians, 155, 159, 165, 167, 179, 279, 282, 284, 285, 286, 341, 349, 371.
Spragg, Joseph, Extra Clerk, 701, 702.
Staats and Tenyke, 774.
Stage Coach Bill, 624.
Stages on Niagara Frontier, *re* running of by subjects of United States, 157.
Stalker, J., 705, 723.
Stamford, 156, 157, 164, 341, 354, 359.
Stanbar, John, 735, 752, 774.
Stanton, Robert, *re* Bank of Kingston, Petition, etc., 333, 335, 339, 441, 448, 449, 461, 466, 726.
Statute Labor, 156, 535.
Statutes, Provincial, *re* printing, etc., 397, 406, 409, 410, 428, 623, 636, 641, 642, 644, 646, 686.
At Large, 672.
Stephenson, Francis, 751.
Stephenson, Samuel, Patent for 200 acres in Trafalgar, 695.
Stern, D., 734.
Stern, F., 767.
Stevens, Adam, 221.
Stevens, Bela, 221.
Stewart, Rev. John, 754.
Stiles, L., 718.
Still License, Account of Revenue, 78, 454.
Duties, 41, 54, 69, 269, 733, 748.
Eastern District, 758; Persons Licensed, 751.
Stills, Wooden, Guaging or Admeasurement, 54, 222, 297, 298, 303, 305, 357.
Admeasurement and Duty Bills, 352, 357, 361, 364, 375, 430, 431.
Stimson, Arba, 709, 714.
Stockbridge, 126, 128, 130, 131, 132, 133, 135.
Stolcker, Isaac, 719.
Stone, Joel, 743, 779.
Stone, William, 771.
Stoneburner, Joseph, 745, 770.
Storing, Timothy, Petition of, 4, 7, 9, 31, 37, 40, 147, 149, 152.
Stormont County, *re* Name and Townships comprising, 139; Representation, 143.
Stotenborough, Martin, 709.
Stotenborough, William, 707.
Stoves, Franklin, 695.
Strachan, John, 657.
Strachan, Rev. John, 112, 415, 592, 694.
Street, Samuel, Esq., 144, 148, 156, 352, 359, 753.
Streets Mill Dam, 348.
Suffolk, England, *re* Hemp Cultivation, 483.
County, United States, 135.
County, Upper Canada, *re* Name and Townships comprising, 142; Representation, 143.
Sugar Colonies, 228; Plantations, 60.
Sull, David, 34.
Sullivan, D., 704, 720.
Sullivan, George, Esq., 292.
Sunday School, *re* aid for establishment of, 118; *re* Libraries for, in Brockville, 302; Cobourg, 301; Kingston, 283; Petition for, 292.
Sunderland, Ira, 221.
Sunnidale Township, part of County of Simcoe, 465.
Superior, Lake, Trading Posts on, 110.
Supply Bill, 184, 185, 189, 190, 376, 382, 384, 385, 407, 408, 415, 421, 422, 431, 621, 627, 631, 632, 634.

Committee, 81, 83, 90, 156, 159, 162, 168, 170, 281, 286, 372, 376, 377, 383, 384, 393, 409, 455.
Granted, 168, 169.
Surgery and Physic, Practice of, 7, 56, 66, 67.
Surrogate Court, 316, 325, 326, 379, 382, 394, 395, 411, 412, 430, 431, 451, 452, 481, 541, 560, 562, 590, 604, 619, 622, 623.
Survey Bill, Navigation, 402.
Of St. Lawrence River, 408, 417.
Surveyor-General, Thomas Ridout, 60, 158, 159, 183.
Surveyor-General's Office Accounts, 169, 375, 701.
Surveyors, Ordinance, *re* 347, 348, 358, 429.
Remuneration of, 158, 182, 185, 187, 195.
Sutherland, James, 551.
Swine, Regulations *re* running at large, 87, 89, 122, 123, 194.

T.

Talbot Road, 650.
Tarbolton Township, part of County of Carleton, 464.
Tavern Licenses, Account of Revenue, 9, 454.
Bill, 474, 482, 545, 546.
Duties Collected, etc., 733, 748.
Issued, Eastern District, 751, 775; Home District, 752; Johnstown District, 752, 755; London District, 775; Midland District, 752, 774; Niagara District, 750, 774; Western District, 749, 775; To Persons in the several Districts of Upper Canada, 774.
Taxation, Direct, 626, 637, 639.
Taxes, 595, 597, 639.
Tay Township, part of County of Simcoe, 465.
Tea, Report on Trade, 652-661; Petition (*re* Importation) to His Majesty, 668-671; *re* Smuggling, 462; Relaxation of Duties, etc., 463, 477, 479, 529; Schedule of at Port of Quebec, 658.
Teachers, Niagara District, Money Due, 279, 302; Bill for Relief of, 319, 320, 324, 382.
Tecumseh Township, part of County of Simcoe, 465; Petition *re* Bridge, 550, 553, 555, 609.
Temmiskamin Lake, 589.
Tenements and Lands, sale of, *See* Lands.
Registering of, 66.
Thames River, 141, 142.
Thomas, Peter, 453, 457.
Thompson, H. C., 339.
Thompson, Hugh C., Publisher *Upper Canada Herald*, Kingston, 453, 469, 479.
Thompson, Mr. 335.
Thompson, Samuel, 774.
Thompson, T., 721.
Thompson, Tim., Esq., 753.
Thompson, Timothy, Esq., Collector of Customs, Newcastle, 761.
Thora Township, part of County of Simcoe, 465.
Throop, J., 221.
Tiffany, Sil., 753.
Timber, *re* Depredations in Bathurst District, 710.
Foreign, Duties on, 49, 50.
Rafts, *re* rates on, 515.
Re Seizure of, 708.
Tiny Township, part of County of Simcoe, 465.
Titles and Assignments Bill, 74.
Tobacco Trade, and Growth in Western District, 577, 584, 585, 603, 604, 613, 616, 651, 665, 677, 678, 683.
Tod and Horne, 726.
Toll to be levied on vessels, etc., passing through canal, 409.
Tolman, J. B., 221.
Tomkins, Abijah, 713.
Tomkins, Elijah, 709.
Tonnage Duty, 9, 79.
Toole, 707.
Toole, Peter, 112.
Toronto, *re* change of name from York, 167, 177, 180.
Gore, part of County of York, 465.
Township, part of County of York, 465.
Township, Petition of Inhabitants, 323; *re* Mill Dam, 348, 372.
Tosorontio Township, part of County of Simcoe, 465.
Tourneaux, Rend., 752, 775.
Town Meetings, 83.
Officers, appointment, etc., 4, 68, 70, 76, 78, 151, 583, 594, 689.
Wardens, 90.
Townships, *re* Boundaries, 28, 29, 455, 460, 541, 542.
Re Granting of, 389.
Re Payment for original schedule of new, 158, 182, 185, 187, 195.
Trade Act, Canada, 208, 211, 212, 222, 226-237, 272, 408, 438, 445, 458, 483-528, 544, 582, 658.
And Agriculture, Depression of, 3, 5.
Board of, 263, 264.
In British Colonies, 440, 445.
Colonial, 437.
Montreal Committee of, 657.
And the Plantations, 45, 109.
Quebec Committee of, 659.
Regulation *re* American Vessels, 226, 227, 267, 664, 667.
Upper and Lower Canada, Report of Proceedings of Arbitrators under Trade Act, 458, 471, 483, 484-528; Award under, 582, 594, 610; Regulation of Trade, 226-237, 272, 630, 631, 646, 687, 688.
Trading Posts on Lakes Huron and Superior, 110.
Trafalgar Township, part of County of Nelson, 465.
Patent for 200 acres in, 695.

Traitors, *re* Estates of, 418.
Tranche, River La, 141, 142.
Tranquility of Province, 29, 32, 35, 38, 44, 205, 207, 213, 451, 453, 473.
Travelling expenses of Judges, Clerks of Assize, etc., 404, 419.
Treason, High, 39, 216; Oliver Grace of York, 91.
Treasurers of Districts, Accounts of, 300, 323, 324, 326, 343, 362, 363, 369, 550, 554, 555.
Duty of, 597, 598.
Treasury, His Majesty's Commissioners of, 109.
Lords of, 248, 267, 268.
Lower Canada, 253, 263, 610.
Provincial, 80, 287, 438.
Public, 285.
Tremble, Charles, 752.
Trent River, 141; *re* Bridge, 580, 609.
Trial of offences committed without the limits of any County of the Province, 272, 273, 452, 456.
Trinity Term, 298, 303, 339.
Troops, His Majesty's, 627.
Trowsey, John, 779.
Troy, Griffiths and, Fee *re* Report on Petition, 710.
Troyer, John, 775.
Trumble Juda, 466, 474, 586.
Tucker, Joseph, 126, 129, 146.
Turquand, Bernard, Junior Clerk, 701, 702.
Tuttle, 294.
Tuttle, David, Petition of, 71, 75, 192.
Tuttle, J., 738, 739, 744.
Tythe Bill, Fees for Proclamation, etc., 697, 709.

U.

U. E. List, 354, 387.
Union Bill, 237-268, 272, 300, 304, 305, 310, 311, 318, 322, 325, 342, 363, 365, 377, 380, 381, 430, 432.
Representation *re*, by Freeholders of Lincoln, 294, 295, 296.
Representation *re*, by Inhabitants of Wentworth, 287.
See also Legislative Union, etc., under Upper Canada.
United States, Duties on goods and merchandise from, 78, 81, 105, 106, 110, 153, 180, 467, 559, 560, 625, 626, 634, 635, 640, 641-644, 645, 647, 648, 662, 668, 687, 688; Commercial Intercourse with, 162, 164, 165, 438, 445, 461, 462, 467, 475; Intercourse Bill, 529, 530, 535, 543, 546, 588, 686; Inland Intercourse and trade with, 257, 258, 376, 391, 397, 399; *re* claims of sufferers from late war with, 214, 219, 220, 279, 282, 292, 299, 300, 301, 307, 383, 385, 396, 401, 405, 411, 413, 431, 459, 461, 472, 475, 595, 602, 626, 637, 638, 639, 641, 676, 677, 679, 683; Petitions, *re* services in war, 374, 474; *re* Militia Men entitled to land for services in war, 363, 372; *re* smuggling, 462, 463, 653, 670, 671.
University, Bill, *re* 593, 618, 627.
Upper Canada, Addresses *re* Commercial relations with Lower Canada, 6, 112, 120, 121, 124, 161, 163, 166, 168; *re* appointment of Commissioner to convey the same to His Majesty, 170, 171, 174, 176, 181.
Arbitrator for, *See* Hon. James Baby.
Arbitrator, Remuneration or compensation of, 609, 621, 628, 630, 631, 646, 687.
Arbitrators' decision *re* claims, 203, 205, 208.
Arbitrators, appointment of, etc., 230, 231, 232, 233, 246, 247, 250, 267; *re* award of, 582, 594, 610; report of, 484-528, 542, 544.
Arrearages due from Lower Canada, 42, 43, 45, 50.
Bank of, 151, 157, 195, 308, 313, 316, 317, 325, 335, 349, 354, 452; Bill *re*, 340, 344, 351, 357, 429; Pretended, 452, 459, 464, 466, 467, 468, 469, 537, 543, 544, 615, 616, 688.
Boundary, 269, 272, 274, 275, 276, 280, 458, 473, 474, 476, 480, 523, 528, 537, 564, 589, 602, 614, 615, 623, 624, 666, 667, 676, 683; Barnhart's Island, 674-676.
Commercial relations with Lower Canada, 6, 162, 184, 325, 346.
Commissioner *re* appointment of in connection with financial relations, etc., 162, 170, 171, 174, 175, 176, 183, 194, 195, 204; Letters from, *re* appointment, 181; *re* affairs of Province, 243-252, 257-268, 345, 657.
Commissioners, 3, 5, 6; Report of, 9, 10-25; Resolutions in House *re* same, 50-51; Report of Joint Committee, *re*, 96-115, 119, 184; Remuneration of, 64, 68, 71, 73, 194; Selection of, 103.
Constitution of, 1791, 98.
Division of Quebec into Upper and Lower Canada, Proclamation, etc., *re*, 98, 139, 246, 247, 248, 252.
Exposed Frontier of, 638.
Financial relations and interest, 3, 5, 41, 49, 53, 54, 55, 81, 119, 120, 121, 123, 124, 159, 160, 161, 163, 166, 168, 170, 171, 174, 176, 325, 346, 364, 428.
Herald, U. C. Libel, 452, 453, 469, 479.
Inland Postage in, 60.
Legislative Union of Upper and Lower Canada, 203, 208, 237, 300, 304, 305, 310, 311, 318. Representation *re* proposed Union from inhabitants of Wentworth, 287. From inhabitants of Lincoln, 294, 295, 296.
Mails in, 62.
Population of, in 1791, 79, 104.
Trade Act: Arbitrator's Report, 458, 471, 483-528; Award, 582, 594, 610; Regulation of Trade, 226-237, 272, 630, 631, 646, 687, 688.
Trade of, 226-237.

Union of Provinces Bill, Correspondence, etc., 208, 212, 213, 222, 237-268, 272, 365.
Whiskey and Rum, *re* consumption of, 105.
Urquhart, Alexander, 770.
Urquhart, William, 738.
Urtibeze, Jeremiah, 769.
Uxbridge Township, part of County of York, 465.

V.

Valentine, John, 752.
Vancott, Peter, 704, 722.
Vanduzen, Jacob, 757.
VanKoughnet, Michael, 775.
Vankoughnet, Mr., 41, 42, 43, 44, 46, 48, 49, 50, 52, 55, 56, 63, 66, 70, 71, 74, 78, 81, 86, 87, 89, 90, 91, 115, 116, 117, 118, 119, 123, 124, 125, 145, 146, 147, 150, 151, 152, 154, 290, 293, 295, 297, 299, 300, 301, 302, 303, 304, 306, 307, 310, 311, 312, 313, 314, 315, 319, 320, 322, 323, 324, 326, 327, 328, 340, 342, 343, 344, 347, 348, 350, 351, 352, 353, 355, 356, 358, 359, 361, 363, 365, 368, 369, 370, 373, 375, 376, 378, 382, 383, 384, 385, 386, 387, 388, 391, 392, 393, 394, 397, 398, 399, 400, 401, 403, 405, 410, 411, 412, 416, 417, 419.
VanKoughnet, Peter, 328.
Vanorman and Co, fee for Report on Petition, 709.
Vanstickler, Ferdinand, Petition of, 39, 46, 83.
Vanwyck, Samuel, 750, 775.
Vaughan Lutheran Congregation, 474.
Vaughan Township, part of County of York, 465.
Vere, Jacob, 371.
Vespra Township, part of County of Simcoe, 465.
Vessel, American, seized at Kingston, 667.
Vessels, American, Fee *re* opinion as to right to navigate when fitted as British bottoms, 710.
Trade regulation *re*, 226, 227, 267.
Re Transportation of troops and stores in, 664, 667.
Vice, Jacob, 311, 316.
Vittoria, 61, 62.
Voltigeurs of Lower Canada, 226, 612.
Vonduson, J., 736.
Votes of the House, *re* printing, 312, 470.

W.

Wait, Eve, 719.
Wait, Joseph, 767.
Wages of Members of the Legislative Assembly, 186, 347, 622, 629.
Waldorffe, John, 735.
Walker, Joseph, 752.
Walker, R., 724.
Walker, Robert, 330, 752, 774.
Walker, William, 126, 127, 129, 130.
Wallan, Andrew, 771.
Walsh, Mr., 32, 36, 37, 38, 39, 40, 42, 44, 46, 48, 49, 50, 52, 55, 56, 64, 66, 69, 71, 74, 77, 83, 87, 91, 115, 117, 118, 119, 121, 123, 124, 125, 146, 147, 148, 152, 153, 154, 155, 157, 159, 163, 167, 168, 175, 176, 179, 180, 183, 186, 190, 191, 193, 211, 218, 225, 268, 269, 270, 273, 281, 284, 286, 291, 293, 294, 295, 297, 306, 307, 310, 311, 312, 314, 315, 318, 320, 322, 324, 328, 341, 342, 344, 348, 350, 352, 355, 365, 368, 370, 373, 374, 376, 378, 381, 382, 383, 384, 385, 386, 387, 388, 391, 393, 394, 397, 398, 400, 403, 405, 406, 409, 413, 416, 420, 422, 425, 439, 440, 446, 447, 450, 451, 452, 455, 456, 457, 459, 460, 463, 464, 468, 470, 471, 475, 477, 478, 479, 531, 535, 536, 537, 538, 539, 542, 545, 546, 547, 552, 553, 554, 555, 556, 557, 558, 559, 562, 564, 565, 572, 573, 574, 575, 577, 578, 579, 581, 582, 583, 586, 587, 588, 591, 592, 593, 597, 598, 599, 601, 602, 603, 604, 605, 606, 608, 609, 610, 611, 613, 617, 619, 620, 621, 622, 623, 624, 626, 627, 629, 631, 632, 637, 644, 646, 647, 648, 649, 665, 668, 673.
Walsh, Thomas, 774.
War, 1812, Arrears of pay to Militia, 578.
Claims of sufferers by, 204, 206, 208, 214, 219, 220, 279, 282, 292, 299, 300, 301, 307, 383, 385, 396, 401, 405, 411, 413, 415, 430, 431, 459, 461, 472, 476, 480, 595, 602, 626, 638, 639, 641, 662, 666, 672, 676, 677, 679.
Fee for drawing Commission *re* claims of sufferers from, 710, 725.
Gaol and Court House destroyed by, Niagara, 156.
Militia Men entitled to land for services during, 363, 372, 373, 374.
Pensions for widows and others, 46, 91, 147, 270, 316, 323, 366, 371, 402, 542.
Remuneration for services, 347, 402.
Ward, Thomas, Petition of, 68, 73, 164, 191.
Wardens, Church, *re* appointment, 83, 90.
St. George's, Kingston, Petition of Rector and, 304, 306, 365. Bill *re* same, 392, 430.
Town, 90.
Warffe, Richard, 699.
Warrants issued, abstracts of, 10, 80, 193, 424, 454, 685.
Warren, John, Collector of Customs, Fort Erie, etc., 732, 761.
Warren, John, Jr., 750.
Warren, Henry, 774.
Warren, Henry and John, 750, 774.
Washburn, Ebenr., 752.
Waste Lands of the Crown, *re* settlement, 373, 564, 600.
Waterloo Township, part of County of Halton, 465.
Wates, G., 737.
Ways and Means Committee, 282, 601, 618, 627, 633, 637, 641.
Weatherhead, S., 737.
Weatherhead, Samuel, 753, 757, 776.
Webster, William, 719.

Weeger, J., 769.
Weeks, William, will of, 67, 77, 83, 86, 89, 149, 150, 154, 194.
Weights and Measures, uniformity of, 274, 275. Bill *re*, 283, 288, 293, 302, 306, 321, 340, 360, 361, 365, 390, 397, 398, 411, 430.
Welland, 142.
Welland Canal, 531, 535, 540, 541, 544, 545, 546, 547, 576, 579, 686.
Welland River bridge, 156.
Wells, Jason, 746.
Wells, Joseph, 592.
Wells, Hon. Joseph, 698, 699.
Welsh, Thomas, 750.
Wentworth County, Representation of Inhabitants *re* proposed Union of Upper and Lower Canada, 287, 289.
Wesleyan Methodist Episcopal Church, Petition, etc., 455, 536.
Wessels, Owen, 709, 713.
West India Products, 109.
West Indies, 109, 227, 228, 229, 263, 264, 265.
Westbrook, A., 222.
Westmacotte, Mr., 94.
Westmacott, Richard, 95.
Western Circuit, Accounts of Council for Crown, 715.
Western District, Crown Office Accounts, 700.
Fiats for Commission of Assize, etc., 711.
Licenses issued, 749.
Petition of Inhabitants, 311, 316, 537, 542, 577, 583.
Re Tobacco, growth of, 577, 584, 603, 604, 651, 677, 678, 683.
Westminster, Petition of Inhabitants, 461.
Wharffe, R., 738.
Wheeler, Common'th vs., 137.
Whiskey, *re* consumption in Upper and Lower Canada, 105.
Whitby Township, part of County of York, 465. Petition of Inhabitants, 307, 312, 395.
Whitchurch, Marcus, 164, 191.
Whitchurch, Township, part of County of York, 465.
White, Common'th vs., 137.
White, John, Petition and Relief Bill, 48, 54, 81, 85, 118, 149, 196.
White, Leonard, 719.
White, Mr., 32, 36, 37, 38, 39, 40, 42, 43, 44, 46, 48, 49, 50, 55, 72, 74, 87, 115, 117, 124, 125, 146, 148, 150, 152, 153, 154, 167, 168, 176, 180, 182, 183, 189, 190, 207, 211, 218, 273, 281, 290, 291, 294, 295, 297, 299, 305, 306, 307, 311, 312, 314, 315, 318, 320, 321, 322, 328, 340, 342, 344, 348, 352, 355, 356, 358, 359, 363, 366, 368, 439, 450, 452, 455, 456, 463, 466, 468, 470, 471, 475, 477, 478, 479, 531, 535, 536, 537, 538, 541, 542, 545, 547, 552, 553, 554, 555, 556, 557, 558, 559, 560, 562, 563, 564, 565, 572, 573, 574, 577, 579, 581, 582, 583, 584, 585, 587, 588, 589, 599, 600, 604, 606, 607, 608, 609, 611, 613, 617, 618, 619, 620, 621, 622, 624, 626.
White, Mr., Attorney General, 309.
White, Reuben, Esq., 627.
Whitney, Benjamin, Esq., 330, 334, 337, 349.
Whitney, Mr., 328, 329, 330, 331, 332, 333, 334.
Whitney, Timothy, 127, 129.
Whittlesey, Eliphalet, 136.
Wholer, C., 737.
Wholesale dealers, 9.
Wickham, John, 221.
Wilcox, William, 144, 145.
Wilder, I., 718.
Wilkie, 336.
Wilkins, Robert, 751, 773.
Willard, Stephen, 131, 134.
Williams, 716.
Williams, John, 136.
Williams, O., 128, 132, 134.
Williams, Robert, 125, 144.
Williams, Thomas, 124, 126, 127, 129, 130, 146, 216, 217.
Williamsburg, 89, 139.
Williamsburg Township, *re* Lands forfeited in, 220.
Wills, Deeds, etc., Registration of, 66, 83, 157, 214, 398.
Wills, John, 715.
Willson, Mr., 66, 328, 346, 651, 662, 674.
Willson, A. C., 16, 17.
Willson, George, 136.
Willson, John, 587.
Willson, Mr. (of Prince Edward), 5, 32, 34, 36, 37, 38, 40, 42, 43, 44, 46, 48, 49, 50, 52, 55, 56, 66, 67, 71, 72, 73, 74, 115, 117, 122, 124, 125, 148, 149, 151, 152, 153, 155, 157, 161, 162, 164, 165, 167, 168, 170, 172, 174, 176, 179, 180, 182, 183, 184, 186, 189, 190, 206, 211, 218, 225, 268, 269, 273, 278, 281, 282, 284, 290, 291, 295, 297, 299, 304, 306, 307, 310, 311, 312, 314, 315, 317, 318, 320, 321, 322, 324, 340, 341, 342, 348, 349, 352, 354, 355, 356, 357, 358, 363, 478, 530, 531, 532, 535, 536, 537, 538, 540, 541, 545, 549, 552, 553, 554, 555, 556, 557, 558, 560, 562, 563, 564, 565, 572, 573, 574, 575, 576, 577, 578, 579, 581, 584, 585, 586, 588, 591, 592, 597, 598, 599, 600, 602, 604, 605, 606, 608, 609, 610, 611, 613, 614, 617, 619, 621, 622, 624, 626, 627, 629, 632, 638, 641, 645, 648, 650, 665, 668.
Wilson, Mr. (of Wentworth), 9, 29, 32, 34, 36, 37, 38, 39, 40, 42, 43, 44, 46, 47, 48, 49, 50, 52, 69, 70, 71, 72, 73, 74, 76, 77, 85, 86, 87, 89, 115, 116, 117, 118, 119, 122, 123, 124, 125, 147, 148, 150, 152, 153, 172, 174, 176, 179, 180, 182, 183, 186, 189, 190, 193, 194, 218, 219, 222, 225, 268, 269, 273, 274, 275, 280, 281, 284, 286, 289, 290, 291, 292, 297, 299, 300, 301, 306, 307, 310, 311, 312, 314, 315, 317, 320, 321, 322, 324, 325, 340, 341, 342, 343, 344, 346, 348, 349, 352, 354, 355, 356, 357, 358, 359, 363, 364, 365, 367, 370, 371, 372, 373, 374, 375, 376, 378, 381, 382, 383, 384, 385, 386, 387, 388, 390, 391, 392, 393, 394, 396, 398, 399, 405, 415, 419, 420, 422, 425,

426, 428, 437, 439, 446, 450, 452, 455, 456, 460, 463, 464, 466, 468, 470, 471, 472, 475, 477, 478, 479, 480, 482, 528, 530, 531, 535, 536, 537, 538, 540, 541, 542, 545, 547, 548, 549, 551, 552, 553, 554, 555, 556, 557, 559, 560, 562, 563, 564, 565, 572, 573, 574, 575, 577, 578, 581, 582, 583, 584, 585, 587, 588, 590, 591, 592, 593, 594, 597, 598, 638, 645, 646, 647, 648, 650, 665, 668, 674, 681, 684.
Wilmot, Mr., 6, 29, 32, 36, 37, 38, 39, 40, 42, 43, 44, 46, 47, 48, 49, 50, 52, 56, 66, 68, 69, 70, 71, 72, 73, 74, 81, 83, 87, 89, 115, 117, 118, 124, 125, 146, 148, 152, 153, 154, 155, 157, 159, 163, 164, 165, 167, 168, 174, 176, 179, 180, 182, 183, 185, 189, 190, 193, 206, 210, 213, 215, 218, 225, 257, 268, 269, 271, 272, 273, 275, 278, 279, 281, 282, 284, 286, 287, 288, 289, 290, 291, 293, 295, 297, 298, 299, 304, 306, 307, 310, 311, 312, 314, 315, 318, 320, 322, 324, 327, 328, 340, 341, 342, 343, 344, 346, 348, 349, 351, 352, 355, 356, 358, 359, 363, 365, 369, 370, 371, 372, 373, 375, 376, 377, 378, 382, 383, 384, 385, 386, 387, 391, 392, 393, 394, 398, 400, 402, 405, 408, 410, 411, 415, 416, 418, 422, 425, 426, 428, 439, 446, 447, 449, 450, 451, 452, 455, 456, 460, 463, 464, 466, 468, 470, 471, 472, 475, 477, 478, 479, 480, 482, 528, 530, 531, 535, 536, 537, 538, 540, 541, 542, 545, 552, 554, 555, 556, 557, 558, 559, 560, 562, 563, 564, 565, 572, 573, 574, 575, 577, 578, 579, 580, 581, 587, 588, 590, 591, 592, 596, 600, 602, 603, 604, 605, 606, 608, 609, 610, 611, 613, 617, 618, 619, 621, 623, 626, 629, 630, 631, 632, 637, 638, 640, 644, 645, 646, 647, 648, 649, 650, 665, 666, 668, 674, 680, 682, 683, 684.
Wilmot, Mr., under Secretary of State for the Colonies, 243, 244, 251, 262.
Wilmot, R., 252, 345, 346.
Wilmot, Samuel S., 164, 395, 681, 683.
Winchester Measure, 321, 360.
Winchet, Josiah, 136.
Wing, Daniel, 719.
Winkworth, Robert, 719.
Wintermute, Benjamin, 750.
Wishart, A., 725.
Wissett's Treatise on Hemp, 483.
Wolf Bill, 183.
Wolfe Island, 140.
Wolford, Petition from, 118.
Wolves, *re* Act to encourage destruction of, 172, 183, 469, 534, 551, 561, 581.
Wood, G., Commissary General, 509.
Wood, Thomas S., 144, 145.
Woodbridge, Jos., 126, 129, 130, 134.
Wooden Stills. See Stills.
Woolwich Township, part of County of Halton, 465.

Y.

Yarmouth Township, Petition of Inhabitants, 461.
Yonge Street, 550, 551.
Yonge Township, Lands forfeited in, 221.
Patents of land, fees, 695.
Petition, etc., *re* Bridge, 294, 328, 344, 356, 368, 372, 384, 551, 575, 640, 687.
York, Academy at, 67.
Bank Amendment Bill, 151.
Carpenters of, 209, 210.
Crown Office Accounts, 700, 701.
Collector of Customs, William Allan, Esq., 732, 733.
County, *re* name and townships comprising, 141, 142, 465. Representation, 143.
Fire engine, 178.
Gaol, Petition of Insolvent Debtors, 272.
Market, 83, 87, 90.
Militia, 270.
Petition of William Bergin and others, 547. Of James Carroll, 459, 464.
Police, 148, 177, 184.
Port of, 79.
Post Master, William Allan, Esq., 57, 59, 60, 693, 694, 716, 717.
Post Office, *re* letter rates, etc., 50, 61, 62.
Presbyterian Congregation, Petition, etc., 453, 457, 541, 562, 563, 662, 687.
Town of, 1, 2, 39, 46, 57, 83, 87, 89, 117, 125, 144, 201, 202, 203, 270, 435, 436, 447, 448.
Town of, *re* change of name to Toronto, 167, 177, 180.
Town of, Examination *re* government of, 178.
Town of, Lands forfeited, 221.
York, Township, part of County of York, 465.
Young, 705.
Young, D., 707.
Young, David, 723.
Young, James, 720.
Young, John, 750.
Young, T., 769.

Z.

Zero Township, part of County of Simcoe, 465.